

trict of the pro rata of taxes to which the territory thus added to said Elmo Independent School District by this act may be subject by reason of any outstanding bond issue or bond issues previously voted by any school district or school districts of which such added territory may have heretofore formed part; defining the powers of said Elmo Independent School District, and declaring an emergency."

Have carefully compared same and find it correctly enrolled, and have this day, at 10:15 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 9, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 608, "An Act to create the Carta Valley Independent School District in Edwards and Val Verde counties, Texas; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing that the board of trustees of the existing school in said district shall continue to act as such until their successors are elected in accordance with the general laws of Texas, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:15 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 9, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 620, "An Act creating Pontotoc Common County Line School District No. 31 of Mason, San Saba and Llano counties, and placing the same under the management and control of Llano county; defining the powers of said district; providing for election of the first board of trustees of said district; providing for an election to determine whether or not a special school for maintenance purposes shall be levied upon the property contained in said dis-

trict, and to determine whether the several outstanding obligations which may exist against the several territories and the portion of territory of other districts embraced in this district shall be assumed in whole for such indebtedness and pro rata thereof; making alternative provision for the protection of all such indebtedness; abolishing existing school districts wholly included within its boundaries, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:15 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

#### FORTY-THIRD DAY.

(Saturday, March 10, 1923.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Downs.
Amsler.	Driggers.
Arnold.	Duffey.
Atkinson.	Dunlap.
Avis.	Dunn.
Baker of Milam.	Durham.
Baker of Orange.	Edwards.
Baldwin.	Faubion.
Barker.	Fields.
Barrett.	Finlay.
Beasley.	Gipson.
Bell.	Green.
Bird.	Greer.
Blount.	Hardin of Erath.
Bobbitt.	Hardin
Bonham.	of Kaufman.
Bryant.	Harris.
Burmeister.	Henderson
Cable.	of Marion.
Carpenter	Henderson
of Dallas.	of McLennan.
Carpenter	Hendricks.
of Matagorda.	Howeth.
Carson.	Hughes.
Carter of Hays.	Hull.
Chitwood.	Irwin.
Coffee.	Jacks.
Collins.	Jennings.
Covey.	Jones.
Cowen.	Kemble.
Crawford.	Lackey.
Culp.	Laird.
Davenport.	Lamb.
Davis.	Lane.
DeBerry.	LeMaster.
Dielmann.	LeSturgeon.
Dinkle.	Lewis.
Dodd.	Loftin.

Looney.	Rountree.
McDaniel.	Russell of Trinity.
McDonald.	Russell
McFarlane.	of Callahan.
McKean.	Sackett.
McNatt.	Sanford.
Martin.	Satterwhite.
Mathes.	Shearer.
Maxwell.	Shires.
Melson.	Simpson.
Merritt.	Smith.
Miller.	Sparkman.
Montgomery.	Stell.
Moore.	Stevens.
Morgan	Stewart.
of Liberty.	of Edwards.
Morgan	Stewart of Jasper.
of Robertson.	Stewart of Reeves.
Pate.	Stiernberg.
Patman.	Storey.
Patterson.	Stroder.
Perdue.	Sweet.
Pinkston.	Teer.
Pool.	Thompson.
Pope.	Thrasher.
Potter.	Wallace.
Price.	Wells.
Purl.	Westbrook.
Quaid.	Wessels.
Quinn.	Wilson.
Rice.	Winfree.
Robinson.	Young.
Rogers.	

Absent.

Fugler.	Turner.
McBride.	Vaughan.

Absent—Excused.

Brady.	Lusk.
Carter of Coke.	Merriman.
Frnka.	Rowland.
Harrington.	Strickland.
Johnson.	Williamson.
Houston.	Wilmans.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

## LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Houston, for today, on motion of Mr. Arnold.

Mrs. Wilmans, for today, on motion of Mr. Carpenter of Dallas.

Mr. Carter of Coke, for today, on motion of Mr. Carson.

Mr. Brady, for today, on motion of Mr. Shearer.

The following members were granted leaves of absence on account of sickness:

Mr. Williamson for today, on motion of Mr. Dielmann.

Mr. Harrington, for today, on motion of Mr. Bell.

Mr. Thompson, for today, on motion of Mr. LeMaster.

Mr. Johnson, for yesterday and today, on motion of Mr. Bell.

## SENATE BILL ON FIRST READING.

The following Senate bill was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate bill No. 424, to the Judiciary Committee.

## HOUSE BILL NO. 495 WITH SENATE AMENDMENTS.

Mr. Robinson called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 495, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended by Chapter 72, General Laws of the Thirty-third Legislature, and Chapters 26 and 99, General Laws of the Thirty-fifth Legislature, and Chapter 10 of the Third Called Session of the Thirty-fifth Legislature, and Chapter 13 of the Fourth Called Session of the Thirty-fifth Legislature, and Chapter 35 of the Acts of the Regular Session of the Thirty-sixth Legislature, and Chapter 50 of the General Laws of the Third Called Session of the Thirty-sixth Legislature, and Chapter 32 of the General Laws of the Regular Session of the Thirty-seventh Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named, so as to include Leon county."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Robinson, the House concurred in the Senate amendments.

## MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 424, A bill to be entitled "An Act to create the county court of Tarrant county for civil cases No. 2, and prescribing the jurisdiction thereof, giv-

ing said court concurrent jurisdiction with the county court of Tarrant county for civil cases in all matters and causes over which the court of Tarrant county for civil cases has jurisdiction, fixing the salary of the judge of the county court of Tarrant county for civil cases No. 2; providing for the appointment and election of the judge of said court hereby created and providing for the transfer of causes from the dockets of the county court of Tarrant county for civil cases to the dockets of the court hereby created, by the county clerk of Tarrant county, and providing for the transfer of causes from the dockets of the county court of Tarrant county for civil cases to the dockets of the court hereby created by the judge of the county court of Tarrant county for civil cases, at his discretion, and providing for the transfer of causes from the dockets of the court hereby created to the dockets of the county court of Tarrant county for civil cases by the judge of the court hereby created, at his discretion, and providing for the appointment of an official shorthand reporter who shall be an officer of the court hereby created, and declaring an emergency."

The Committee on Criminal Jurisprudence has reported adversely House bill No. 107.

The Committee on State Institutions and Departments have adversely reported House concurrent resolution No. 6, relating to the employes in the departments and institutions of the State of Texas.

The Senate has refused to concur in House amendments to Senate bill No. 244, and request the appointment of a Free Conference Committee to adjust the differences. The following are appointed on the committee in behalf of the Senate: Senators Darwin, Fairchild, Wirtz, Floyd and Wood.

Respectfully,

RICHARD BLALOCK,  
Assistant Secretary of the Senate.

#### REQUESTING RETURN OF SENATE BILL NO. 355 FROM THE GOVERNOR.

Mr. Pope offered the following resolution:

H. C. R. No. 32, Requesting return of Senate bill No. 355.

Whereas, There was introduced in the Senate at this present session Senate bill No. 355 entitled "An Act to create the Palo Pinto Independent School District out of a part of the Matamoros

Common School District and the Bishop Independent School District in Nueces county, Texas," etc.; and

Whereas, Said bill was passed in the Senate February 27, 1923, and passed in the House March 3, 1923, and has been sent to the Governor for his signature and has been filed in the office of the Secretary of State; and

Whereas, It is desired to have said bill returned for making correction; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Secretary of State be requested to return said bill to the Governor, and the Governor return said bill immediately to the House and Senate for further consideration.

The resolution was read second time, and was adopted.

#### EMPLOYEE OF THE HOUSE.

The Speaker announced the appointment of the following page to take the place of Willard Dougherty, discharged: George Sharp.

#### RELATING TO CONSIDERATION OF SENATE BILLS.

Mr. Westbrook offered the following resolution:

Resolved, by the House of Representatives, That that part of Section 5 of House rule 19, providing that no Senate bill on its second reading shall be considered during the last seventy-two hours of the Regular Session of the Legislature or during the last seventy-two hours of any special or called session, be suspended, and that it shall be in order to consider Senate bills on their second reading until 10 o'clock p. m. Monday, March 12.

The resolution was read second time.

On motion of Mr. Quaid, the resolution was referred to the Committee on Rules.

#### CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 328.

Mr. Jones called up, for consideration at this time, the following conference committee report:

Committee Room,  
Austin, Texas, March 9, 1923.

Hon. T. W. Davidson, President of the Senate, and Hon. R. E. Seagler, Speaker of the House of Representatives.

Sirs: Your respective committees to

act on the part of the Senate and on the part of the House of Representatives to adjust the differences between the Senate and the House of Representatives on House bill No. 328, providing for the levying of occupation tax or severance tax on the gross production of sulphur, have had the same under consideration and beg leave to report as follows:

That the Senate recede from its amendment on said bill including asphalt and rock asphalt under the provisions of the bill and that the House bill be so amended so as to levy a tax of 2 per cent on the gross production of sulphur instead of 3 per cent on such production.

Respectfully submitted,

MELSON,  
CULP,  
BLOUNT,  
JONES,

On the part of the House.

BAUGH,  
McMILLIN,  
WOOD,  
BAILEY,

On the part of the Senate.

Mr. Jones moved that the report be adopted.

Mr. Carpenter of Matagorda moved that further consideration of the report be postponed until 10 o'clock a. m. next Monday.

On motion of Mr. Jones, the motion to postpone was tabled.

Question recurring on the motion to adopt the report, yeas and nays were demanded.

The report was adopted by the following vote:

Yeas—102.

Mr. Speaker.	Culp.
Amsler.	Davis.
Arnold.	DeBerry.
Atkinson.	Dielmann.
Avis.	Dinkle.
Baldwin.	Dodd.
Barrett.	Downs.
Beasley.	Driggers.
Blount.	Duffey.
Bobbitt.	Dunlap.
Bonham.	Durham.
Bryant.	Fields.
Carson.	Finlay.
Carter of Hays.	Fugler.
Chitwood.	Greer.
Coffee.	Hardin of Erath.
Collins.	Harris.
Covey.	Henderson
Cowen.	of Marion.

Henderson  
of McLennan.  
Hendricks.  
Houston.  
Hughes.  
Hull.  
Jacks.  
Jones.  
Kemble.  
Lackey.  
Laird.  
Lamb.  
Lane.  
LaMaster.  
LeSturgeon.  
Lewis.  
Looney.  
McDaniel.  
McDonald.  
McFarlane.  
McKean.  
McNatt.  
Martin.  
Mathes.  
Maxwell.  
Melson.  
Merritt.  
Miller.  
Montgomery.  
Moore.  
Morgan  
of Robertson.  
Patterson.  
Perdue.

Pinkston.  
Pool.  
Potter.  
Price.  
Purl.  
Quaid.  
Rice.  
Robinson.  
Rogers.  
Rountree.  
Russell  
of Callahan.  
Sackett.  
Sanford.  
Satterwhite.  
Shires.  
Simpson.  
Sparkman.  
Stell.  
Stevens.  
Stewart of Jasper.  
Stewart of Reeves.  
Stiernberg.  
Storey.  
Stroder.  
Sweet.  
Thrasher.  
Turner.  
Wallace.  
Wells.  
Westbrook.  
Wessels.  
Wilson.  
Young.

Nays—16.

Abney.	Crawford.
Baker of Milam.	Hardin
Barker.	of Kaufman.
Bird.	Irwin.
Burmeister.	Jennings.
Cable.	Morgan
Carpenter	of Liberty.
of Dallas.	Shearer.
Carpenter	Smith.
of Matagorda.	Winfree.

Absent.

Baker of Orange.	Pate.
Bell.	Patman.
Davenport.	Pope.
Dunn.	Quinn.
Edwards.	Russell of Trinity.
Faubion.	Stewart.
Gipson.	of Edwards.
Green.	Teer.
Loftin.	Vaughan.
McBride.	

Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Howeth.	Williamson.
Johnson.	Wilmans.
Lusk.	

PROVIDING FOR COMMITTEE TO  
MAKE PRISON SURVEY.

The Speaker laid before the House, for consideration at this time,

H. C. R. No. 31, Relating to making prison survey, with the following (committee) amendment:

Strike out the first two paragraphs and insert in lieu thereof:

"Whereas, In many States a prison survey has proved helpful in assisting the State authorities and their Legislature in solving prison problems; and

"Whereas, A scientific survey of our prison system will help the prison authorities and our Legislature committees in securing information and legislation that will correct our prison difficulties that we are now laboring under."

The resolution having heretofore been read second time and referred to the Committee on Penitentiaries.

Question recurring on the (committee) amendment, it was adopted.

Question then recurring on the resolution as amended, it was adopted.

HOUSE JOINT RESOLUTION NO. 24  
ON FINAL PASSAGE.

Mr. Cowen moved to reconsider the vote by which House joint resolution No. 24 failed to pass.

The motion to reconsider prevailed.

Question—Shall House joint resolution No. 24 be passed?

The Clerk was directed to call the roll, and the resolution was passed by the following vote:

Yeas—102.

Mr. Speaker.	Collins.
Abney.	Cowen.
Amsler.	Crawford.
Arnold.	Culp.
Avis.	Davenport.
Baker of Milam.	DeBerry.
Baker of Orange.	Dinkle.
Baldwin.	Dodd.
Beasley.	Downs.
Blount.	Driggers.
Bobbitt.	Duffey.
Bryant.	Dunlap.
Burmeister.	Durham.
Carpenter	Fields.
of Dallas.	Finlay.
Carpenter	Fugler.
of Matagorda.	Green.
Carson.	Greer.
Carter of Hays.	Hardin of Erath.
Chitwood.	Henderson
Coffee.	of Marion.

Hendricks.	Pool.
Howeth.	Pope.
Hull.	Potter.
Irwin.	Price.
Jacks.	Purl.
Jennings.	Quaid.
Jones.	Quinn.
Kemble.	Robinson.
Laird.	Rogers.
Lamb.	Rountree.
Lane.	Russell
LeMaster.	of Callahan.
LeSturgeon.	Sackett.
Lewis.	Sanford.
Loftin.	Satterwhite.
Looney.	Shearer.
McDaniel.	Shires.
McDonald.	Simpson.
McNatt.	Smith.
Martin.	Sparkman.
Mathes.	Stevens.
Melson.	Stewart of Jasper.
Miller.	Stewart of Reeves.
Montgomery.	Storey.
Moore.	Stroder.
Morgan	Sweet.
of Liberty.	Thrasher.
Morgan	Turner.
of Robertson.	Wallace.
Patman.	Wells.
Patterson.	Winfree.
Perdue.	Young.
Pinkston.	

Nays—19.

Barrett.	McFarlane.
Bird.	McKean.
Bonham.	Merritt.
Cable.	Rice.
Davis.	Russell of Trinity.
Hardin	Stell.
of Kaufman.	Stiernberg.
Henderson	Westbrook.
of McLennan.	Wessels.
Hughes.	Wilson.
Lackey.	

Absent.

Atkinson.	Harris.
Barker.	McBride.
Bell.	Maxwell.
Covey.	Pate.
Dielmann.	Stewart.
Dunn.	of Edwards.
Edwards.	Teer.
Faubion.	Vaughan.
Gipson.	

Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmans.
Lusk.	

# CONSIDERATION OF VETO OF SENATE BILL NO. 158.

Mr. Russell of Callahan called up, for consideration at this time, the motion to reconsider the vote by which the House refused to pass Senate bill No. 158, amending Chapter 33 of the General Laws of the Thirty-third Called Session of the Thirty-sixth Legislature, creating the Ninety-first Judicial District Court, which motion to reconsider was on Wednesday, March 7, spread on the Journal.

Question recurring on the motion to reconsider, yeas and nays were demanded.

The motion to reconsider prevailed by the following vote:

## Yeas—80.

Abney.	McDaniel.
Arnold.	McDonald.
Baker of Milam.	McFarlane.
Baker of Orange.	McNatt.
Baldwin.	Martin.
Barrett.	Mathes.
Beasley.	Maxwell.
Bobbitt.	Miller.
Bryant.	Montgomery.
Burmeister.	Moore.
Carpenter	Patman.
of Dallas.	Morgan
Carpenter	of Liberty.
of Matagorda.	Morgan
Carson.	of Robertson.
Chitwood.	Patterson.
Covey.	Pinkston.
Davenport.	Pope.
Dielmann.	Potter.
Dinkle.	Price.
Dodd.	Purl.
Duffey.	Quaid.
Dunn.	Robinson.
Finlay.	Rogers.
Fugler.	Rountree.
Gipson.	Russell
Green.	of Callahan.
Greer.	Sackett.
Hardin of Erath.	Sanford.
Hardin	Shearer.
of Kaufman.	Shires.
Harris.	Simpson.
Henderson	Sparkman.
of Marion.	Stell.
Henderson	Stiernberg.
of McLennan.	Storey.
Hughes.	Stroder.
Irwin.	Teer.
Jacks.	Wells.
Jones.	Westbrook.
Kemble.	Wessels.
Lane.	Wilson.
LeMaster.	Winfree.
LeStourgeon.	Young.
Loftin.	

## Nays—29.

Atkinson.	Lackey.
Avis.	Laird.
Barker.	Lamb.
Bell.	Looney.
Bird.	McKean.
Blount.	Melson.
Bonham.	Merritt.
Cable.	Perdue.
Carter of Hays.	Pool.
Davis.	Rice.
DeBerry.	Stewart of Jasper.
Downs.	Sweet.
Fields.	Thrasher.
Hendricks.	Turner.
Howeth.	

## Absent.

Amsler.	Lewis.
Coffee.	McBride.
Collins.	Pate.
Cowen.	Quinn.
Crawford.	Russell of Trinity.
Culp.	Satterwhite.
Driggers.	Smith.
Dunlap.	Stevens.
Durham.	Stewart.
Edwards.	of Edwards.
Faubion.	Stewart of Reeves.
Hull.	Vaughan.
Jennings.	Wallace.

## Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmons.
Lusk.	

Question—Shall Senate bill No. 158 be passed notwithstanding the objections of the Governor?

The Clerk was directed to call the roll and the bill was passed by the following vote:

## Yeas—80.

Abney.	Davenport.
Arnold.	Dielmann.
Baker of Milam.	Dinkle.
Baker of Orange.	Dodd.
Baldwin.	Dunn.
Barrett.	Durham.
Beasley.	Finlay.
Bobbitt.	Fugler.
Bryant.	Gipson.
Burmeister.	Green.
Carpenter	Greer.
of Dallas.	Hardin of Erath.
Carpenter	Hardin
of Matagorda.	of Kaufman.
Carson.	Henderson
Chitwood.	of Marion.
Covey.	

Henderson	Potter.
of McLennan.	Price.
Hughes.	Purl.
Irwin.	Quaid.
Jacks.	Robinson.
Jennings.	Rogers.
Jones.	Rountree.
Kemble.	Russell
Lane.	of Callahan.
LeSturgeon.	Sackett.
Loftin.	Sanford.
McDonald.	Satterwhite.
McFarlane.	Shearer.
McNatt.	Shires.
Martin.	Simpson.
Mathes.	Sparkman.
Maxwell.	Stell.
Miller.	Stiernberg.
Montgomery.	Storey.
Moore.	Stroder.
Morgan	Teer.
of Robertson.	Wallace.
Pate.	Wells.
Patman.	Wilson.
Patterson.	Winfree.
Pinkston.	Young.
Pope.	

Nays—32.

Atkinson.	Hendricks.
Avis.	Howeth.
Barker.	Laird.
Bell.	Lamb.
Bird.	LeMaster.
Blount.	Looney.
Bonham.	McKean.
Cable.	Melson.
Carter of Hays.	Merritt.
Collins.	Perdue.
Davis.	Pool.
DeBerry.	Rice.
Downs.	Stewart of Jasper.
Driggers.	Sweet.
Duffey.	Turner.
Fields.	Westbrook.

Present—Not Voting.

Lackey.

Absent.

Amsler.	Morgan
Coffee.	of Liberty.
Cowen.	Quinn.
Crawford.	Russell of Trinity.
Culp.	Smith.
Dunlap.	Stevens.
Edwards.	Stewart.
Faubion.	of Edwards.
Harris.	Stewart of Reeves.
Hull.	Thrasher.
Lewis.	Vaughan.
McBride.	Wessels.
McDaniel.	

Absent—Excused.

Brady.	Frnka.
Carter of Coke.	Harrington.

Houston.	Strickland.
Johnson.	Thompson.
Lusk.	Williamson.
Merriman.	Wilmans.
Rowland.	

Mr. Russell of Callahan moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

ADDRESS BY HON. R. E. THOMASON.

Mr. Pool offered the following resolution:

Whereas, Hon. R. E. Thomason, Speaker of the Thirty-sixth Legislature, is on the floor of the House;

Resolved, He be asked to make a short speech to the House.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee to escort Hon. R. E. Thomason to the Speaker's stand:

Messrs. Pool, Teer and Stevens.

The committee having performed their duty, Speaker Seagler introduced Hon. R. E. Thomason.

Hon. R. E. Thomason then addressed the House.

#### PROCLAMATION BY THE GOVERNOR.

Mr. R. B. Walthall, Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following proclamation from the Governor, which was read to the House, as follows:

Governor's Office,  
Austin, Texas, March 10, 1923.

To the Members of the Thirty-eighth Legislature.

Gentlemen: I am sending herewith to you a proclamation filed this morning with the Secretary of State, which is self-explanatory, and is transmitted to you in order that you may make your plans in keeping with the provisions thereof.

Respectfully,  
PAT M. NEFF,  
Governor.

#### PROCLAMATION BY THE GOVERNOR OF THE STATE OF TEXAS.

Whereas, The Regular Session of the Thirty-eighth Legislature, according to

resolution heretofore adopted, will adjourn Wednesday, March 14th, without having made appropriation for the operating expenses of the Texas Government and her institutions; and

Whereas, It now seems apparent that revenue measures providing adequate funds for the proper support and maintenance of our public schools and eleemosynary institutions for the coming two years, will not be enacted into laws; and

Whereas, On yesterday the Texas Senate smothered to death a bill providing that the courts of this county be vested with authority to remove from office an officer against whom it had been proven in open court and before a jury that he had willfully and corruptly failed and refused to enforce the laws of the country; and

Whereas, The Texas Senate has so far failed to pass on the House bill which has been on its calendar for some days, providing an effective method of punishing outlaws who openly and unfearingly manufacture and sell whiskey in Texas; and

Whereas, There are some real constructive legislative measures that ought to be enacted into laws for the growth and on-going of Texas which have not yet been passed; now, therefore,

I, Pat M. Neff, Governor of the State of Texas, by virtue of the authority vested in me by the Constitution of the State of Texas, in Article 4, Section 8, do hereby call the Thirty-eighth Legislature in extraordinary session to convene in the City of Austin, Texas, at 10 o'clock Thursday morning, March 15th, A. D. 1923, for the following purposes, to wit:

1st. To provide sufficient funds by every means known to the Constitution and statutes of Texas to properly maintain our public schools, our eleemosynary asylums, our Texas Government and all her institutions.

2nd. To make appropriations within the available revenue for the support and maintenance of our schools, our State eleemosynary institutions and the Texas Government.

3rd. To vest the courts of Texas with effective authority to remove from office any officer against whom it can be proven in open court and before a jury that such officer has willfully and corruptly failed and refused to enforce, as he took an oath to enforce, the laws of the country.

4th. To pass such laws as will make

effective the provisions of the Federal Constitution and the provisions of the Texas Constitution which prohibit the manufacture and the sale of intoxicating beverages.

5th. To consider and act upon such matters of vital constructive importance as may be presented by the Governor pursuant to Section 40, Article 3, of the Constitution of Texas.

In testimony whereof, I have hereunto signed my name officially, and caused to be impressed hereon the seal of the State, at the City of Austin, Texas, this the 10th day of March, A. D. 1923.

PAT M. NEFF,

Governor.

(Seal)

By the Governor:

S. L. STAPLES, Secretary of State.

#### MESSAGE FROM THE GOVERNOR.

The following message from the Governor, received from the Senate, was laid before the House and read:

Governor's Office,

Austin, Texas, March 8, 1923.

To the Members of the Texas Senate,  
Thirty-eighth Legislature.

Gentlemen: I am returning herewith to you, with my disapproval and veto, Senate bill No. 152. The purpose of this bill is to create and establish in fact, though not in name, a new and additional district court for Bowie county, Texas. Bowie county now has one district court. In my judgment, the court business of this county does not necessitate the establishment of this additional court.

Respectfully,

PAT M. NEFF,

Governor.

#### CONSIDERATION OF VETO OF SENATE BILL NO. 152.

Mr. Dodd called up for consideration at this time,

S. B. No. 152, Creating the Texarkana Court at Law,

Which bill had been received from the Senate with a message from the Governor, notifying the Senate of his disapproval of same.

Mr. Simpson moved that the House recess to 1:30 o'clock p. m. today, and the motion was lost.

Question—Shall Senate bill No. 152 be passed notwithstanding the objections of the Governor?

The Clerk was directed to call the roll and the bill failed to pass by the following vote:



## Yeas—57.

Baker of Milam.	McDaniel.
Barker.	McDonald.
Barrett.	McNatt.
Beasley.	Martin.
Bryant.	Maxwell.
Burmeister.	Montgomery.
Cable.	Morgan
Carpenter	of Liberty.
of Dallas.	Morgan
Covey.	of Robertson.
Culp.	Patman.
Davenport.	Patterson.
DeBerry.	Potter.
Dielmann.	Purl.
Dinkle.	Quaid.
Dodd.	Quinn.
Driggers.	Rice.
Durham.	Russell
Gipson.	of Callahan.
Green.	Shearer.
Hardin of Erath.	Shires.
Hardin	Stewart of Reeves.
of Kaufman.	Storey.
Harrington.	Stroder.
Hughes.	Teer.
Irwin.	Thrasher.
Jacks.	Wells.
Jennings.	Wessels.
Jones.	Wilson.
LeStourgeon.	Young.
Loftin.	

## Nays—42.

Abney.	Lane.
Arnold.	LeMaster.
Atkinson.	McKean.
Bell.	Mathes.
Bird.	Melson.
Blount.	Moore.
Carpenter	Pate.
of Matagorda.	Perdue.
Carter of Hays.	Price.
Crawford.	Russell of Trinity.
Davis.	Satterwhite.
Downs.	Simpson.
Dunn.	Sparkman.
Faubion.	Stell.
Fields.	Stevens.
Finlay.	Stewart.
Greer.	of Edwards.
Hendricks.	Stewart of Jasper.
Hull.	Sweet.
Lackey.	Turner.
Laird.	Westbrook.
Lamb.	Winfree.

## Present—Not Voting.

Mr. Speaker.	Duffey.
Chitwood.	

## Absent.

Amsler.	Bobbitt.
Avis.	Bonham.
Baker of Orange.	Carson.
Baldwin.	Coffee.

Collins.	Merritt.
Cowen.	Miller.
Dunlap.	Pinkston.
Edwards.	Pool.
Fugler.	Pope.
Henderson	Robinson.
of Marion.	Rogers.
Henderson	Rountree.
of McLennan.	Sackett.
Howeth.	Sanford.
Kemble.	Smith.
Lewis.	Stiernberg.
Looney.	Vaughan.
McBride.	Wallace.
McFarlane.	Williamson.

## Absent—Excused.

Brady.	Lusk.
Carter of Coke.	Merriman.
Frnka.	Rowland.
Harris.	Strickland.
Houston.	Thompson.
Johnson.	Wilmans.

Mr. Price moved to reconsider the vote by which the bill failed to pass and asked to have the motion to reconsider spread on the Journal.

Mr. Simpson called up the motion to reconsider and moved to table the motion.

Question—Shall the motion to table prevail?

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the free conference committee report on House bill No. 328 by the following vote: 12 yeas and 10 nays.

Respectfully,

RICHARD BLALOCK,  
Assistant Secretary of the Senate.

## BILLS SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 400, "An Act making an emergency appropriation for the State penitentiary system; providing that no part of same shall be used in or available for the payment of certain alleged notes alleged to have been executed by the Board of Prison Commissioners, and declaring an emergency."

H. B. No. 616, "An Act creating the Union Hill Independent School District in Swisher county, Texas; defining its

boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the election of its first board of trustees and their successors; providing for the appointment of a board of equalization and tax assessor and collector for said district, and declaring an emergency."

H. B. No. 651, "An Act to create the Denson Independent School District in Williamson county, Texas, including the present Denson School District of said county; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights and powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing that the board of trustees of the present Denson School District shall continue to act as such until their successors are elected and qualified in accordance with the general laws of Texas, and declaring an emergency."

H. B. No. 643, "An Act creating the Brownsboro Independent School District in Henderson county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties and liabilities now conferred and imposed by the general laws of Texas upon independent school districts and the boards of trustees thereof; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect, and declaring an emergency."

H. B. No. 596, "An Act validating a certain issue of schoolhouse bonds aggregating \$5000, bearing interest at 6 per cent per annum, voted by Common School District No. 7 of Lynn county on July 23, 1921; validating the election voting such bonds, all orders of the commissioners court of Lynn county in respect to such election and such bonds, and in addition all orders levying taxes to support the same, and declaring an emergency."

H. B. No. 582, "An Act creating the Fairview Independent School District in Wichita county, Texas; defining its boundaries; providing for a board of trustees for said independent school district; describing their qualifications and terms of office; defining the rights,

powers and privileges of said board, and conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of the State of Texas upon independent school districts and the boards of trustees thereof; providing for the creation of a board of trustees; providing for the raising of revenues; declaring valid a maintenance tax heretofore voted, and providing for the assessment and collection of said tax and for a board of equalization of said school district; and providing for the election of trustees thereof; providing for the transportation of pupils under certain conditions, and repealing all laws in so far as they may be in conflict herewith, and declaring an emergency."

H. B. No. 502, "An Act to authorize the commissioners courts of Hudspeth and Culberson counties, Texas, to make contracts not in excess of seventy-five dollars per month for services to be performed by the district attorney of the Thirty-fourth Judicial District of Texas."

H. B. No. 244, "An Act to relieve various schools of the State by validating certain school districts, and where such districts have undertaken to provide for the issuance of schoolhouse bonds, or the levying of special taxes for any lawful school purposes, by proceedings not otherwise invalid; validating such bond issues and taxes, and declaring an emergency."

H. B. No. 182, "An Act authorizing and directing the administrative or governing authorities of the public educational institutions of this State to except and exempt from the payment of all dues, fees and charges, except for board and clothing, of all citizens of Texas who served as nurses or in the armed forces of the United States during the late war, and giving said citizens a preferential right to be admitted to the benefits of said institutions, and declaring an emergency."

H. B. No. 136, "An Act amending Section 39 of Chapter 42, General Laws of the First Called Session of the Thirty-seventh Legislature, relative to public roads and highways, so as to except and exempt from the provisions of said chapter the county of Marion, and declaring an emergency."

H. B. No. 12, "An Act to provide revenue for the support of the public free schools of Texas and to levy a tax of two cents per gallon on all gasoline sold in the State of Texas, for the sup-

port of the public free schools of Texas, and declaring an emergency."

H. B. No. 361, "An Act to amend Section 16 of Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature, as amended by Section 2 of Chapter 71 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, as amended by Section — Chapter 113 of the General Laws of the Regular Session of the Thirty-sixth Legislature, as amended by Chapter 131 of the General Laws of the Regular Session of the Thirty-seventh Legislature, as amended by Chapter 52 of the General Laws of the First Called Session of the Thirty-seventh Legislature, providing for and increasing the annual license fees on motor vehicles; providing for applications for registration; providing for annual license fees for trailers and semi-trailers and tractors; providing penalties for failure to comply with the provisions of this act; providing certain described vehicles shall not be licensed or operated on public roads; providing for exceptions and special permits; amending Section 3 of Chapter 73 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, as amended by Section 4, Chapter 113 of the General Laws of the Regular Session of the Thirty-sixth Legislature, relating to disposition of fees collected hereunder; providing for maintenance by the State and declaring increased fees primarily a trust fund for such maintenance; providing that in event any section or provision of this act shall be held unconstitutional, the same shall not affect any other section or provision; and repealing all laws in conflict with this act."

#### RECESS.

On motion of Mr. Patman, the House, at 12:10 o'clock p. m., took recess to 1:30 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 1:30 o'clock p. m. and was called to order by the Speaker.

#### CONSIDERATION OF VETO OF SENATE BILL NO. 152.

The House resumed consideration of pending business, same being a motion of Mr. Price to reconsider the vote by which Senate bill No. 152 failed to pass notwithstanding the objections of the

Governor, with motion by Mr. Simpson to table the motion to reconsider, pending.

Question recurring on the motion to table, it was lost.

Question then recurring on the motion to reconsider, it prevailed.

Question again recurred—Shall Senate bill No. 152 be passed notwithstanding the objections of the Governor?

The Clerk was directed to call the roll and the bill was passed by the following vote:

Yeas—84.

Amsler.	Jones.
Avis.	Kemble.
Baker of Milam.	Lamb.
Baldwin.	Lane.
Barker.	LeSturgeon.
Barrett.	Loftin.
Beasley.	McDaniel.
Bobbitt.	McDonald.
Bonham.	McKean.
Bryant.	Martin.
Burmeister.	Maxwell.
Cable.	Melson.
Carpenter	Merritt.
of Dallas.	Miller.
Carpenter	Morgan
of Matagorda.	of Liberty.
Carson.	Morgan
Chitwood.	of Robertson.
Collins.	Patman.
Covey.	Pope.
Culp.	Potter.
DeBerry.	Price.
Dielmann.	Purl.
Dinkle.	Quaid.
Dodd.	Rice.
Downs.	Rogers.
Driggers.	Rountree.
Duffey.	Sackett.
Dunn.	Sanford.
Durham.	Satterwhite.
Edwards.	Shearer.
Finlay.	Shires.
Gipson.	Sparkman.
Hardin of Erath.	Stell.
Hardin	Stewart of Jasper.
of Kaufman.	Stewart of Reeves.
Harris.	Storey.
Henderson	Sweet.
of Marion.	Teer.
Howeth.	Wallace.
Hughes.	Wells.
Hull.	Westbrook.
Irwin.	Wessels.
Jacks.	Wilson.
Jennings.	Young.

Nays—17.

Abney.	Bird.
Arnold.	Carter of Hays.
Atkinson.	Cowen.
Bell.	Crawford.

Davis.  
Faubion.  
Laird.  
Looney.  
Pate.

Perdue.  
Simpson.  
Turner.  
Winfree.

Present—Not Voting.

Mr. Speaker.  
Lackey.

Stewart  
of Edwards.

Absent.

Baker of Orange.  
Blount.  
Coffee.  
Davenport.  
Dunlap.  
Fields.  
Fugler.  
Green.  
Greer.  
Henderson  
of McLennan.  
Hendricks.  
LeMaster.  
Lewis.  
McBride.  
McFarlane.  
McNatt.

Mathes.  
Montgomery.  
Moore.  
Patterson.  
Pinkston.  
Pool.  
Quinn.  
Robinson.  
Russell  
of Callahan.  
Russell of Trinity.  
Smith.  
Stevens.  
Stiernberg.  
Stroder.  
Thrasher.  
Vaughan.

Absent—Excused.

Brady.  
Carter of Coke.  
Frnka.  
Harrington.  
Houston.  
Johnson.  
Lusk.

Merriman.  
Rowland.  
Strickland.  
Thompson.  
Williamson.  
Wilmans.

Mr. Dodd moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 645 ON SECOND READING.

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 645, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State and authorizing payment of said miscellaneous items on the taking effect of this act, and declaring an emergency."

The bill having been read second time on yesterday, with amendment by Mr. Wallace pending.

Question recurring on the amendment, it was adopted.

Mr. Wallace offered the following amendment to the bill:

Amend House bill No. 645, page 1113 of the House Journal, at end of Section 1, by adding the following: "For the payment of the claim of John

T. Smith, W. M. Woodall and M. M. McFarland for commission claimed in the matter of collecting inheritance tax under contract with the State of Texas, said contract being for two years and expiring January 1, 1921, said contract being held valid by the Supreme Court of the State of Texas in the case of Johnson, tax collector, vs. Lon A. Smith, Comptroller, decided December 20, 1922; provided said claim is established by any district court sitting in Travis county, State of Texas, and authority is hereby given to the said Smith, Woodall and McFarland to institute suit against the State of Texas, for the recovery of said claim; provided further, that upon the trial of said cause if said claim be established in favor of Smith, Woodall and McFarland and against the State that no laches on the part of the holder of said claim shall defeat the recovery and that no statute of limitations shall be a claim in favor of the State against the said claimants or so much thereof as may be necessary; provided further, that the State may be cited in said cause by serving citation on the Attorney General of the State of Texas. Provided that nothing herein shall be construed as preventing either the claimants or the State from the right of appeal as in other cases. Amount \$10,607.43."

Signed—Wallace, Stewart of Jasper, Hughes, Arnold, Fields.

The amendment was adopted.

Mr. Wallace offered the following amendment to the bill:

Amend House bill No. 645, page 1113 of House Journal, at end of Section 1, by adding the following item: "To pay J. T. Smith, Wm. Woodall and M. M. McFarland 10 per cent commission on \$76,491.98 inheritance tax collected under contract made by Comptroller Terrell, authorized by act of Thirty-fifth Legislature. Amount \$7,649.19."

Signed—Wallace, Arnold, Hughes, Fields, Stewart of Jasper.

The amendment was adopted.

Mr. Hughes offered the following amendments to the bill:

(1)

Amend House bill No. 645, page 1111, House Journal, by changing item 20 to read "\$65.60" instead of "\$35.00."

(2)

Amend House bill No. 645, page 1113, House Journal, by inserting after the last item and above Section 2, a new

item to read as follows: "To pay W. H. Grandbery for services as official court report of Fifty-fourth Judicial District Court, 1922, \$42.60."

The amendments were severally adopted.

Mr. Pope offered the following amendment to the bill:

Amend House bill No. 645 by adding at the end of amendments at the end of Section 1 the following: "To pay Robstown Ice & Gin Company for erroneous payment of franchise taxes for years 1916 to 1921, \$569.55."

The amendment was adopted.

Mr. Wallace offered the following amendment to the bill:

Amend House bill No. 645, page 1113, item 3, by striking out the following words: "To pay J. T. Robison for registered heifer allowed Southwestern Insane Asylum for use," and insert in lieu thereof the following: "To authorize the Board of Control to deliver to J. T. Robison one registered Holstein heifer from the Southwestern Insane Asylum at San Antonio, as part payment for a registered Holstein heifer purchased from the said Robison by former State Purchasing Agent George Leavy as per agreement between the said purchasing agent and the said Robison."

The amendment was adopted.

House bill No. 645 was then passed to engrossment.

#### HOUSE BILL NO. 645 ON THIRD READING.

Mr. Wallace moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 645 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Mr. Speaker.	Cable.
Abney.	Carpenter
Amsler.	of Dallas.
Arnold.	Carpenter
Atkinson.	of Matagorda.
Avis.	Carson.
Baker of Milam.	Carter of Hays.
Baldwin.	Chitwood.
Barker.	Covey.
Barrett.	Cowen.
Beasley.	Crawford.
Bell.	Culp.
Bird.	Davis.
Bobbitt.	DeBerry.
Bonham.	Dielmann.
Bryant.	Dinkle.
Burmeister.	Dodd.

Downs.	Patman.
Driggers.	Patterson.
Duffey.	Perdue.
Dunlap.	Pinkston.
Dunn.	Pool.
Faubion.	Pope.
Fields.	Price.
Finlay.	Purl.
Gipson.	Quinn.
Hardin of Erath.	Rice.
Harris.	Rogers.
Henderson	Russell
of Marion.	of Callahan.
Henderson	Sackett.
of McLennan.	Sanford.
Hendricks.	Shearer.
Hughes.	Shires.
Hull.	Simpson.
Irwin.	Smith.
Jacks.	Sparkman.
Jennings.	Stell.
Jones.	Stewart.
Kemble.	of Edwards.
Lamb.	Stewart of Jasper.
Lane.	Stewart of Reeves.
LeMaster.	Storey.
LeSturgeon.	Sweet.
Lewis.	Teer.
McDonald.	Thrasher.
McKean.	Turner.
McNatt.	Wallace.
Melson.	Wells.
Merritt.	Westbrook.
Montgomery.	Wessels.
Moore.	Wilson.
Morgan	Winfree.
of Liberty.	Young.
Morgan	
of Robertson.	

Nays—2.

Hardin	Looney.
of Kaufman.	

Present—Not Voting.

Quaid.

Absent.

Baker of Orange.	McFarlane.
Blount.	Martin.
Coffee.	Mathes.
Collins.	Maxwell.
Davenport.	Miller.
Durham.	Pate.
Edwards.	Potter.
Fugler.	Robinson.
Green.	Rountree.
Greer.	Russell of Trinity.
Howeth.	Satterwhite.
Lackey.	Stevens.
Laird.	Stiernberg.
Loftin.	Stroder.
McBride.	Vaughan.
McDaniel.	

Absent—Excused.

Brady.	Carter of Coke.
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Frnka.  
Harrington.  
Houston.  
Johnson.  
Lusk.  
Merriman.

Rowland.  
Strickland.  
Thompson.  
Williamson.  
Wilmans.

The Speaker then laid House bill No. 645 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—100.

Mr. Speaker.	Jones.
Abney.	Kemble.
Amsler.	Laird.
Arnold.	Lamb.
Baker of Milam.	Lane.
Baldwin.	LeMaster.
Barker.	LeStourgeon.
Barrett.	Lewis.
Beasley.	McDaniel.
Bell.	McDonald.
Bird.	McKean.
Bobbitt.	McNatt.
Bonham.	Merritt.
Bryant.	Montgomery.
Burmeister.	Moore.
Cable.	Morgan
Carpenter	of Liberty.
of Dallas.	Morgan
Carpenter	of Robertson.
of Matagorda.	Patman.
Carson.	Patterson.
Carter of Hays.	Perdue.
Chitwood.	Pinkston.
Covey.	Pool.
Cowen.	Pope.
Crawford.	Price.
Culp.	Purl.
DeBerry.	Quinn.
Dielmann.	Rice.
Dinkle.	Rogers.
Dodd.	Rountree.
Downs.	Russell
Driggers.	of Callahan.
Duffey.	Sackett.
Dunlap.	Sanford.
Dunn.	Satterwhite.
Faubion.	Shearer.
Fields.	Shires.
Finlay.	Simpson.
Gipson.	Sparkman.
Hardin of Erath.	Stell.
Hardin	Stewart.
of Kaufman.	of Edwards.
Harris.	Stewart of Jasper.
Henderson	Stewart of Reeves.
of McLennan.	Storey.
Hendricks.	Sweet.
Hughes.	Thrasher.
Hull.	Turner.
Irwin.	Wallace.
Jacks.	Wells.
Jennings.	Westbrook.

Wilson.  
Winfree.

Young.

Nays—3.

Davis.  
Looney.

Wessels.

Present—Not Voting.

Avis.

Quaid.

Absent.

Atkinson.	McFarlane.
Baker of Orange.	Martin.
Blount.	Mathes.
Coffee.	Maxwell.
Collins.	Melson.
Davenport.	Miller.
Durham.	Pate.
Edwards.	Potter.
Fugler.	Robinson.
Green.	Russell of Trinity.
Greer.	Smith.
Henderson	Stevens.
of Marion.	Stiernberg.
Howeth.	Stroder.
Lackey.	Teer.
Loftin.	Vaughan.
McBride.	

Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmans.
Lusk.	

#### HOUSE BILL ON FIRST READING.

Mr. Pope asked unanimous consent of the House to have the following bill read first time and referred as follows. There was no objection offered.

By Mr. Pope:

H. B. No. 696, A bill to be entitled "An Act to repeal Senate bill No. 355, passed by the Thirty-eighth Legislature of the State of Texas, entitled 'An Act to create the Palo Alto Independent School District out of a part of the Matamoros Common School District and the Bishop Independent School District in Nueces county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring on said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of the State upon independent school districts and the boards of trustees thereof; providing for the election of trustees, raising of revenue, issuing of bonds, building and maintaining schools; providing for the payment

by the Palo Alto Independent School District of the pro rata share of the bonded indebtedness of the Bishop Independent School District, and validating said obligation; providing for commissioners to fix the said pro rata share of said bonded indebtedness; repealing all laws in so far as they conflict herewith, and declaring an emergency."

Referred to Committee on School Districts.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 95, A bill to be entitled "An Act amending the workmen's compensation law, as amended by Chapter 103 of the General Laws of the Regular Session of the Thirty-fifth Legislature, and declaring an emergency," with amendments.

Respectfully,

RICHARD BLALOCK,  
Assistant Secretary of the Senate.

#### HOUSE BILL NO. 95 WITH SENATE AMENDMENTS.

Mr. LeSturgeon called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 95, A bill to be entitled "An Act amending the workmen's compensation law, as amended by Chapter 103 of the General Laws of the Regular Session of the Thirty-fifth Legislature, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. LeSturgeon, the House concurred in the Senate amendments.

#### HOUSE BILL NO. 355 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 355, A bill to be entitled "An Act to amend Article 791 of the Code of Criminal Procedure of the State of Texas in order to allow persons charged as principals, accomplices and accessories, whether they be charged as such in the same indictment or information or different indictments or informa-

tion, to be introduced as witnesses for one another, but not preventing any person so charged from claiming a severance."

The bill was read third time and was passed.

#### HOUSE BILL NO. 378 NO THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 378, A bill to be entitled "An Act appointing and designating Mrs. M. E. Wheeler as assistant guide in charge of paintings, providing for her salary, making an appropriation, and declaring an emergency."

The bill was read third time and was passed.

#### HOUSE BILL NO. 381 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 381, A bill to be entitled "An Act to amend Sections 656, 657 and 659 of the Revised Civil Statutes of 1911, so as to authorize counties, cities, whether under special charter or not, and towns to issue funding and refunding bonds, to provide for the terms of such bonds, and the manner of their issuance, and to provide for the levy of a tax for the payment thereof, and declaring an emergency."

The bill was read third time.

Mr. Pope offered the following amendment to the bill:

Amend House bill No. 381 by adding at the end of Section 1 the following: "and provided further, that such bonds shall not be sold at less than their par value and accrued interest and that the necessary expenses incident to issuance of said bonds may be paid out of the proceeds from the sale thereof not exceeding one-half of one per cent."

The amendment was adopted.

House bill No. 381 was then passed.

#### HOUSE BILL NO. 393 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 393, Relating to the levying of an inheritance tax.

The bill was read third time and was passed.

#### HOUSE BILL NO. 408 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 408, A bill to be entitled "An Act to provide for and require the teaching and study of the Constitution of the United States in the public schools of Texas."

The bill was read third time.

Mr. Harris offered the following amendment to the bill:

Amend House bill No. 408, page 1383 of House Journal, Section 1a, last sentence, by striking out words "and in this course only."

The amendment was adopted.

Mr. Finlay offered the following amendment of the bill:

Amend House bill No. 408, first sentence, Section 2, to read as follows: "The course of study in each of the subjects submitted in Section 1 shall be taught at such time as the State Superintendent of Public Instruction shall prescribe."

The amendment was lost.

Mr. Abney moved a call of the House for the purpose of maintaining a quorum until 5 o'clock p. m. today, and the call was duly seconded and ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The roll was called and a quorum was announced present.

On motion of Mr. Abney, the Sergeant-at-Arms was instructed to bring in all absentees within the Capitol Building.

House bill No. 408 was then passed.

#### HOUSE BILL NO. 413 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 413, A bill to be entitled "An Act to appropriate out of the general revenue, not heretofore appropriated, the sum of \$7500, or so much thereof as may be necessary for the remainder of the fiscal year ending August 31, 1923, and the further sum of \$10,000, or so much thereof as may be necessary, for the fiscal year ending August 31, 1924, to defray the expenses of the Department of the State Health Officer of the State of Texas in intensive mosquito control work leading to the prevention and eradication of malaria and dengue fever and prevention of yellow fever in the State of Texas; also

authorizing the State Health Officer to accept donations from any sources to supplement such fund or funds, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—61.

Mr. Speaker.	Moore.
Abney.	Morgan
Arnold.	of Liberty.
Baker of Milam.	Morgan
Beasley.	of Robertson.
Bell.	Patterson.
Blount.	Perdue.
Bryant.	Pinkston.
Burmeister.	Pope.
Carter of Hays.	Potter.
Chitwood.	Price.
Covey.	Purl.
Crawford.	Quaid.
DeBerry.	Quinn.
Dielmann.	Rice.
Dinkle.	Robinson.
Dodd.	Rogers.
Dunlap.	Rountree.
Dunn.	Sackett.
Faubion.	Satterwhite.
Fugler.	Shearer.
Henderson	Shires.
of Marion.	Simpson.
Hendricks.	Sparkman.
Irwin.	Stell.
Kemble.	Stewart of Reeves.
Lamb.	Sweet.
Lane.	Teer.
McDonald.	Thrasher.
McFarlane.	Turner.
McNatt.	Wells.
Martin.	Young.
Montgomery.	

Nays—39.

Atkinson.	Jacks.
Baldwin.	Jennings.
Barrett.	Lackey.
Bonham.	Laird.
Carpenter	LeMaster.
of Matagorda.	Looney.
Carson.	McDaniel.
Davis.	McKean.
Downs.	Mathes.
Driggers.	Melson.
Duffey.	Merritt.
Fields.	Pate.
Finlay.	Pool.
Gipson.	Stevens.
Green.	Stewart
Hardin of Erath.	of Edwards.
Henderson	Stewart of Jasper.
of McLennan.	Storey.
Howeth.	Westbrook.
Hughes.	Wessels.
Hull.	Wilson.

Present—Not Voting.

Hardin of Kaufman.



## Absent.

Amsler.	Jones.
Avis.	LeSturgeon.
Baker of Orange.	Lewis.
Barker.	Loftin.
Bird.	McBride.
Bobbitt.	Maxwell.
Cable.	Miller.
Carpenter	Patman.
of Dallas.	Russell
Coffee.	of Callahan.
Collins.	Russell of Trinity.
Cowen.	Sanford.
Culp.	Smith.
Davenport.	Stiernberg.
Durham.	Stroder.
Edwards.	Vaughan.
Greer.	Wallace.
Harris.	Winfree.

## Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmans.
Lusk.	

## HOUSE BILL NO. 417 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 417, A bill to be entitled "An Act to authorize the commissioners courts of the various counties of the State of Texas to employ one or more nurses for the purpose of assisting in the promotion of public health and visiting and inspecting the pupils of the public schools, and to appropriate public funds in payment thereof."

The bill was read third time and was passed.

## HOUSE BILL NO. 434 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 434, A bill to be entitled "An Act providing for the creation of the office of county superintendent of public instruction; providing for the election of a county superintendent; prescribing qualifications of the person holding the office; providing for filling vacancies in the office and specifically repealing Article 2750, Revised Statutes, 1911, and any part of the act of the Thirty-sixth Legislature, Third Called Session, Chapter 57, and any other law or parts of laws which may be in conflict herewith, and declaring an emergency."

The bill was read third time.

Mr. Moore offered the following amendment to the bill:

Amend Section 4a to House bill No. 434, page 1298 of House Journal, lines 29 and 30 of said section, by striking out the words: "and the commissioners court of such county."

The amendment was adopted.

House bill No. 434 was then finally passed.

## HOUSE BILL NO. 437 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 437, A bill to be entitled "An Act to amend Section 12 of Chapter 190, Acts of the Regular Session of the Thirty-fifth Legislature, as amended by Section 1 of Chapter 71 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, which section relates to the allotment of highway funds in road construction, so as to provide for authority to increase the allotment of such funds to aid in the construction of highways in the different counties, and to use said funds for maintenance purposes under certain conditions, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—77.

Mr. Speaker.	Fields.
Amsler.	Gipson.
Arnold.	Green.
Baker of Milam.	Hardin of Erath.
Baldwin.	Harris.
Bell.	Henderson
Blount.	of Marion.
Bobbitt.	Henderson
Bryant.	of McLennan.
Burmeister.	Hendricks.
Carpenter	Hughes.
of Dallas.	Jones.
Carpenter	Kemble.
of Matagorda.	Lackey.
Carson.	Laird.
Carter of Hays.	Lamb.
Chitwood.	Lewis.
Collins.	McNatt.
Covey.	Martin.
Cowen.	Melson.
Crawford.	Moore.
DeBerry.	Morgan
Dielmann.	of Liberty.
Dinkle.	Morgan
Dodd.	of Robertson.
Driggers.	Pate.
Duffey.	Patterson.
Dunlap.	Perdue.
Dunn.	Pinkston.

Pool.	Shires.
Potter.	Simpson.
Price.	Smith.
Purl.	Sparkman.
Quaid.	Stell.
Rice.	Stewart
Robinson.	of Edwards.
Rogers.	Stewart of Reeves.
Rountree.	Sweet.
Russell	Teer.
of Callahan.	Thrasher.
Sackett.	Turner.
Satterwhite.	Wilson.
Shearer.	Young.

## Nays—27.

Abney.	Jacks.
Atkinson.	Jennings.
Barker.	LeStourgeon.
Barrett.	Looney.
Beasley.	McDaniel.
Bird.	McDonald.
Bonham.	McFarlane.
Davis.	McKean.
Downs.	Mathes.
Finlay.	Merritt.
Hardin	Stevens.
of Kaufman.	Stewart of Jasper.
Howeth.	Storey.
Hull.	Wessels.

## Present—Not Voting.

Westbrook.

## Absent.

Avis.	McBride.
Baker of Orange.	Maxwell.
Cable.	Miller.
Coffee.	Montgomery.
Culp.	Patman.
Davenport.	Pope.
Durham.	Quinn.
Edwards.	Russell of Trinity.
Faubion.	Sanford.
Fugler.	Stiernberg.
Greer.	Stroder.
Irwin.	Vaughan.
Lane.	Wallace.
LeMaster.	Wells.
Loftin.	Winfree.

## Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilms.
Lusk.	

## HOUSE BILL NO. 538 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 538, A bill to be entitled "An Act amending Section 1 of Chapter

46, Acts of the Third Called Session of the Thirty-sixth Legislature, fixing the fees to be paid to the State and the State Board of Water Engineers upon the filing of applications for permits for the storage, diversion and use of water, fixing maximum fees at the sum of fifteen hundred dollars, and declaring an emergency."

The bill was read third time and was passed.

## HOUSE BILL NO. 543 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. J. No. 543, A bill to be entitled "An Act creating the office of public weigher in all counties in Texas having a population of not less than 25,600 and not more than 25,700, according to the census of the United States taken in 1920, and prescribing the qualifications for such office and the powers and duties thereof."

The bill was read third time and was passed.

## HOUSE BILL NO. 590 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 590, A bill to be entitled "An Act to amend Article 6002, Title 97, Revised Statutes of Texas, 1911, providing for the appointment of notaries public, and declaring an emergency."

The bill was read third time and was passed.

## HOUSE BILL NO. 598 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 598, A bill to be entitled "An Act to amend Article 4364, Revised Civil Statutes of 1911, providing for the bond of State Treasurer, so as to provide for the making of such bond with a surety company and the payment of the expense incident thereto by the State; and to amend Article 4373, Revised Civil Statutes of 1911, providing for the appointment of a chief clerk and the giving of bond by him, and also providing for the appointment of other employees, so as to provide for the appointment of a chief clerk and the giving of a bond by him for a good and solvent surety company, and further to provide for the appointment of other employees and the giving of bonds by each of them, and to require the State to pay the necessary expenses

incident to the execution of said bond or bonds, and declaring an emergency."

The bill was read third time and was passed.

#### HOUSE BILL NO. 604 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 604, A bill to be entitled "An Act prescribing certain rules of briefing in the courts of civil appeals of the State of Texas; further providing that all rules heretofore or hereafter promulgated by the Supreme Court for the courts of civil appeals, except such as may be in conflict with the provision of this act, shall be binding on said courts, and declaring an emergency."

The bill was read third time and was passed.

#### HOUSE BILL NO. 611 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 611, A bill to be entitled "An Act to amend Article 927, Title 22, Chapter 6, Revised Civil Statutes of 1911, so as to provide that the city council of any city or town shall have power to levy and collect an annual poll tax not to exceed one dollar of every inhabitant of said city over the age of twenty-one years (idiots and lunatics excepted) who is a resident thereof at the time of such annual assessment, and declaring an emergency."

The bill was read third time and was passed.

#### HOUSE BILL NO. 598 ON FINAL PASSAGE.

Mr. Irwin moved to reconsider the vote by which House bill No. 598 was passed.

The motion to reconsider prevailed.

House bill No. 598 was then passed by the following vote:

#### Yeas—102.

Mr. Speaker.	Blount.
Abney.	Bobbitt.
Amsler.	Bryant.
Arnold.	Burmeister.
Atkinson.	Cable.
Avis.	Carpenter
Baker of Milam.	of Dallas.
Baldwin.	Carpenter
Barker.	of Matagorda.
Beasley.	Carson.
Bell.	Carter of Hays.

Chitwood.	Merritt.
Collins.	Montgomery.
Covey.	Moore.
Crawford.	Morgan
Davenport.	of Liberty.
DeBerry.	Morgan
Dielmann.	of Robertson.
Dinkle.	Patman.
Dodd.	Patterson.
Driggers.	Pinkston.
Duffey.	Pope.
Dunlap.	Potter.
Dunn.	Price.
Faubion.	Purl.
Fields.	Rice.
Fugler.	Robinson.
Green.	Rogers.
Hardin of Erath.	Rountree.
Hardin	Russell
of Kaufman.	of Callahan.
Henderson	Sackett.
of Marion.	Sanford.
Hendricks.	Satterwhite.
Howeth.	Shearer.
Hull.	Shires.
Irwin.	Simpson.
Jacks.	Smith.
Jennings.	Sparkman.
Jones.	Stell.
Kemble.	Stewart
Lackey.	of Edwards.
Lamb.	Stewart of Reeves.
Lane.	Storey.
LeMaster.	Stroder.
LeStourgeon.	Sweet.
Lewis.	Teer.
McDaniel.	Thrasher.
McDonald.	Turner.
McFarlane.	Wallace.
McKean.	Wells.
McNatt.	Wessels.
Martin.	Wilson.
Mathes.	Winfree.
Melson.	Young.

Nays—11.

Barrett.	Hughes.
Bird.	Laird.
Davis.	Looney.
Downs.	Stevens.
Finlay.	Stewart of Jasper.
Henderson	
of McLennan.	

Present—Not Voting.

Westbrook.

Absent.

Baker of Orange.	Greer.
Bonham.	Harris.
Coffee.	Loftin.
Cowen.	McBride.
Culp.	Maxwell.
Durham.	Miller.
Edwards.	Pate.
Gipson.	Perdue.

Pool.	Stiernberg.
Quaid.	Vaughan.
Quinn.	Wilmons.
Russell of Trinity.	

Absent—Excused.

Brady.	Lusk.
Carter of Coke.	Merriman.
Frnka.	Rowland.
Harrington.	Strickland.
Houston.	Thompson.
Johnson.	Williamson.

#### HOUSE BILL NO. 533 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 533, A bill to be entitled "An Act prescribing the method of the county tax collector making remittances to the State Treasurer or to any other State officer, board, commission or employe of the State, and inhibiting the payment of exchange on any such remittances; providing that liability shall not cease until actual receipt of money, and declaring an emergency."

The bill was read third time and was passed.

#### HOUSE BILL NO. 544 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 544, A bill to be entitled "An Act providing for the sale of land bought by the State under and by virtue of foreclosure of trust deeds, and declaring an emergency."

The bill was read third time and was passed.

#### HOUSE BILL NO. 282 ON SECOND READING.

On motion of Mr. Merritt, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 282, A bill to be entitled "An Act amending Article 2954 of the Revised Civil Statutes of the State of Texas of 1911, providing that citizens of Texas, who are qualified electors, who will reach the age of twenty-one years after the first day of February and before the day of a following election, shall be entitled to vote at such election without having paid a poll tax and without having obtained an exemption certificate; providing procedure in case the vote of such person is challenged, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Merritt offered the following (committee) amendment to the bill:

Amend House bill No. 282, Section 1, by adding at the end of Article 2954 of the bill the following: "Provided that this law shall not apply to cities having a population of 5000 or more according to the last Federal census."

The amendment was adopted.

Mr. Merritt offered the following amendment to the bill:

Amend caption of House bill No. 282 by inserting in line 12, after the word "certificate," the following: "exempting cities with a population of 5000 or more according to the last Federal census."

The amendment was adopted.

House bill No. 282 was then passed to engrossment.

#### HOUSE BILL NO. 282 ON THIRD READING.

Mr. Pope moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 282 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Abney.	Dunlap.
Amsler.	Dunn.
Arnold.	Faubion.
Atkinson.	Finlay.
Avis.	Fugler.
Baker of Milam.	Gipson.
Baldwin.	Green.
Barker.	Hardin of Erath.
Barrett.	Hardin
Beasley.	of Kaufman.
Bird.	Henderson
Bryant.	of Marion.
Burmeister.	Henderson
Cable.	of McLennan.
Carpenter	Hendricks.
of Dallas.	Howeth.
Carson.	Hughes.
Carter of Hays.	Hull.
Chitwood.	Irwin.
Coffee.	Jacks.
Collins.	Jennings.
Covey.	Jones.
Cowen.	Kemble.
Crawford.	Lamb.
Davis.	Lane.
DeBerry.	LeMaster.
Dielmann.	Lewis.
Dinkle.	Loftin.
Dodd.	McDaniel.
Downs.	McDonald.
Driggers.	McFarlane.
Duffey.	McKean.

McNatt.	Sackett.
Martin.	Sanford.
Mathes.	Shearer.
Merritt.	Shires.
Montgomery.	Simpson.
Moore.	Smith.
Morgan	Sparkman.
of Liberty.	Stell.
Morgan	Stevens.
of Robertson.	Stewart
Patman.	of Edwards.
Patterson.	Stewart of Jasper.
Perdue.	Stewart of Reeves.
Pinkston.	Storey.
Pool.	Stroder.
Pope.	Sweet.
Potter.	Teer.
Price.	Thrasher.
Purl.	Turner.
Quaid.	Wallace.
Quinn.	Wells.
Rice.	Wilson.
Robinson.	Winfree.
Russell	Young.
of Callahan.	

Nays—3.

Laird.	Wessels.
Looney.	

Absent.

Baker of Orange.	LeSturgeon.
Bell.	McBride.
Blount.	Maxwell.
Bobbitt.	Melson.
Bonham.	Miller.
Carpenter	Pate.
of Matagorda.	Rogers.
Culp.	Rountree.
Davenport.	Russell of Trinity.
Durham.	Satterwhite.
Edwards.	Stiernberg.
Fields.	Vaughan.
Greer.	Westbrook.
Harris.	Wilmons.
Lackey.	

Absent—Excused.

Brady.	Lusk.
Carter of Coke.	Merriman.
Frnka.	Rowland.
Harrington.	Strickland.
Houston.	Thompson.
Johnson.	Williamson.

The Speaker then laid House bill No. 282 before the House on its third reading and final passage.

The bill was read third time and was passed.

#### HOUSE BILL NO. 653 ON SECOND READING.

On motion of Mr. Dinkle, the regular order of business was suspended in order to take up and have placed on its second reading and passage to engrossment,

H. B. No. 653, A bill to be entitled "An Act making an appropriation for the purchase of the electric voting machines now installed in the House of Representatives, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time and passed to engrossment.

#### HOUSE BILL NO. 653 ON THIRD READING.

Mr. Dinkle moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 653 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—94.

Mr. Speaker.	Lamb.
Abney.	Lane.
Amsler.	LeMaster.
Baker of Milam.	LeSturgeon.
Baldwin.	Lewis.
Barrett.	Loftin.
Beasley.	McDaniel.
Bird.	McKean.
Bryant.	McNatt.
Carpenter	Martin.
of Matagorda.	Mathes.
Carson.	Maxwell.
Carter of Hays.	Merritt.
Chitwood.	Montgomery.
Collins.	Moore.
Covey.	Morgan
Cowen.	of Liberty.
Crawford.	Morgan
Culp.	of Robertson.
Davis.	Patterson.
DeBerry.	Pope.
Dielmann.	Potter.
Dinkle.	Price.
Downs.	Purl.
Driggers.	Quaid.
Duffey.	Quinn.
Dunn.	Rice.
Faubion.	Robinson.
Fields.	Rogers.
Finlay.	Rountree.
Fugler.	Russell
Gipson.	of Callahan.
Green.	Sackett.
Hardin of Erath.	Sanford.
Harris.	Shearer.
Henderson	Shires.
of Marion.	Simpson.
Henderson	Smith.
of McLennan.	Sparkman.
Hendricks.	Stell.
Howeth.	Stewart.
Hughes.	of Edwards.
Hull.	Stewart of Jasper.
Jacks.	Stewart of Reeves.
Jennings.	Storey.

Stroder.  
Sweet.  
Teer.  
Thrasher.  
Turner.

Wells.  
Westbrook.  
Wilson.  
Winfree.  
Young.

## Nays—10.

Atkinson.  
Avis.  
Burmeister.  
Cable.  
Dodd.

Jones.  
Laird.  
Looney.  
Melson.  
Wessels.

## Absent.

Arnold.  
Baker of Orange.  
Barker.  
Bell.  
Blount.  
Bobbitt.  
Bonham.  
Carpenter  
of Dallas.  
Coffee.  
Davenport.  
Dunlap.  
Durham.  
Edwards.  
Greer.  
Hardin  
of Kaufman.  
Irwin.

Kemble.  
Lackey.  
McBride.  
McDonald.  
Miller.  
Pate.  
Patman.  
Perdue.  
Pinkston.  
Pool.  
Russell of Trinity.  
Satterwhite.  
Stevens.  
Stiernberg.  
Vaughan.  
Wallace.  
Wilmans.

## Absent—Excused.

Brady.  
Carter of Coke.  
Frnka.  
Harrington.  
Houston.  
Johnson.  
Lusk.

McFarlane.  
Merriman.  
Rowland.  
Strickland.  
Thompson.  
Williamson.

The Speaker then laid House bill No. 653 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—89.

Abney.  
Amsler.  
Arnold.  
Baker of Milam.  
Baldwin.  
Barker.  
Beasley.  
Bird.  
Carpenter  
of Dallas.  
Carson.  
Carter of Hays.  
Chitwood.  
Covey.  
Cowen.  
Crawford.  
Culp.

Davis.  
DeBerry.  
Dielmann.  
Dinkle.  
Downs.  
Driggers.  
Duffey.  
Dunn.  
Faubion.  
Fields.  
Finlay.  
Gipson.  
Green.  
Hardin of Erath.  
Harris.  
Henderson  
of Marion.

Henderson  
of McLennan.  
Hendricks.  
Hughes.  
Hull.  
Jacks.  
Jennings.  
Lamb.  
Lane.  
LeMaster.  
LeSturgeon.  
Lewis.  
Loftin.  
McDonald.  
McFarlane.  
McNatt.  
Martin.  
Maxwell.  
Melson.  
Montgomery.  
Moore.  
Morgan  
of Liberty.  
Morgan  
of Robertson.  
Patman.  
Patterson.  
Perdue.  
Pinkston.  
Pope.  
Potter.  
Price.

Purl.  
Quaid.  
Quinn.  
Rice.  
Robinson.  
Rogers.  
Rountree.  
Russell  
of Callahan.  
Sackett.  
Sanford.  
Shires.  
Simpson.  
Smith.  
Sparkman.  
Stell.  
Stevens.  
Stewart  
of Edwards.  
Stewart of Jasper.  
Stewart of Reeves.  
Storey.  
Stroder.  
Teer.  
Thrasher.  
Turner.  
Wallace.  
Wells.  
Westbrook.  
Wilson.  
Winfree.

## Nays—15.

Atkinson.  
Avis.  
Barrett.  
Bryant.  
Burmeister.  
Cable.  
Dodd.  
Howeth.

Jones.  
Laird.  
Looney.  
McDaniel.  
McKean.  
Wessels.  
Young.

## Present—Not Voting.

Hardin of Kaufman.

## Absent.

Baker of Orange.  
Bell.  
Blount.  
Bobbitt.  
Bonham.  
Carpenter  
of Matagorda.  
Coffee.  
Collins.  
Davenport.  
Dunlap.  
Durham.  
Edwards.  
Fugler.  
Greer.  
Irwin.

Kemble.  
Lackey.  
McBride.  
Mathes.  
Merritt.  
Miller.  
Pate.  
Pool.  
Russell of Trinity.  
Satterwhite.  
Shearer.  
Stiernberg.  
Sweet.  
Vaughan.  
Wilmans.

## Absent—Excused.

Brady.  
Carter of Coke.  
Frnka.

Harrington.  
Houston.  
Johnson.

Lusk.  
Merriman.  
Rowland.

Strickland.  
Thompson.  
Williamson.

# SENATE BILL NO. 313 ON SECOND READING.

On motion of Mr. Hardin of Erath, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading,

S. B. No. 313, A bill to be entitled "An Act to amend Chapter 10 of Title 48 of the Revised Civil Statutes of 1911, relating to the powers and duties of the State Board of Education with reference to the purchase of bonds for the account of the State permanent school fund, by adding to said chapter immediately after Article 2740 a new article to be known as Article 2740a, and validating the purchase of bonds by the State Board of Education purchased on deferred payments of the purchase price as of the time of the respective payments on the purchase price of such bonds, and prescribing certain duties of the State Board of Education, the State Treasurer and the State Comptroller of Public Accounts with reference to allowing credits on certain interest coupons attached to said bonds by reason of deferred payments of the purchase price thereof, and limiting the validation of said purchase contract to all bonds purchased on deferred credit since January 1, 1921; providing for adjustment and return of moneys advanced by the State as compensation for accrued interest on said bonds prior to the date of said purchase, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time and was passed to third reading.

# SENATE BILL NO. 313 ON THIRD READING.

Mr. Hardin of Erath moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 313 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107.

Mr. Speaker.	Bird.
Abney.	Bonham.
Amsler.	Bryant.
Arnold.	Burmeister.
Avis.	Cable.
Baker of Milam.	Carpenter
Barker.	of Dallas.
Barrett.	Carpenter
Beasley.	of Matagorda.

Carson.  
Carter of Hays.  
Chitwood.  
Collins.  
Covey.  
Cowen.  
Crawford.  
Culp.  
Davenport.  
Davis.  
DeBerry.  
Dielmann.  
Dinkle.  
Dodd.  
Downs.  
Driggers.  
Duffey.  
Dunn.  
Faubion.  
Fields.  
Finlay.  
Fugler.  
Gipson.  
Green.  
Hardin of Erath.  
Hardin  
of Kaufman.  
Harris.  
Henderson  
of Marion.  
Hendricks.  
Howeth.  
Hughes.  
Jacks.  
Jennings.  
Jones.  
Kemble.  
Laird.  
Lamb.  
Lane.  
LeStourgeon.  
Lewis.  
Loftin.  
McDaniel.  
McFarlane.  
McKean.  
McNatt.  
Martin.

Mathes.  
Maxwell.  
Melson.  
Merritt.  
Montgomery.  
Morgan  
of Liberty.  
Morgan  
of Robertson.  
Patman.  
Patterson.  
Perdue.  
Pinkston.  
Pool.  
Pope.  
Potter.  
Price.  
Purl.  
Quaid.  
Quinn.  
Rice.  
Robinson.  
Rogers.  
Russell  
of Callahan.  
Sackett.  
Sanford.  
Shearer.  
Shires.  
Simpson.  
Smith.  
Sparkman.  
Stell.  
Stevens.  
Stewart.  
of Edwards.  
Stewart of Jasper.  
Stewart of Reeves.  
Storey.  
Stroder.  
Sweet.  
Teer.  
Thrasher.  
Wallace.  
Wells.  
Westbrook.  
Wilson.  
Young.

Nays—1.

Wessels.

Absent.

Atkinson.	Irwin.
Baker of Orange.	Lackey.
Baldwin.	LeMaster.
Bell.	Looney.
Blount.	McBride.
Bobbitt.	McDonald.
Coffee.	Miller.
Dunlap.	Moore.
Durham.	Pate.
Edwards.	Rountree.
Greer.	Russell of Trinity.
Henderson	Satterwhite.
of McLennan.	Stiernberg.
Hull.	Turner.

Vaughan.	Winfree.
Wilmans.	
Absent—Excused.	
Brady.	Lusk.
Carter of Coke.	Merriman.
Frnka.	Rowland.
Harrington.	Strickland.
Houston.	Thompson.
Johnson.	Williamson.

The Speaker then laid Senate bill No. 313 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—106.

Mr. Speaker.	Irwin.
Abney.	Jacks.
Amsler.	Jones.
Arnold.	Kemble.
Atkinson.	Laird.
Baker of Milam.	Lamb.
Baldwin.	Lane.
Barrett.	LeMaster.
Beasley.	LeStourgeon.
Bird.	Lewis.
Bonham.	Loftin.
Bryant.	Looney.
Burmeister.	McDaniel.
Cable.	McDonald.
Carpenter	McFarlane.
of Dallas.	McKean.
Carpenter	McNatt.
of Matagorda.	Martin.
Carson.	Mathes.
Carter of Hays.	Maxwell.
Chitwood.	Melson.
Collins.	Merritt.
Covey.	Montgomery.
Cowen.	Moore.
Culp.	Morgan
Davis.	of Liberty.
DeBerry.	Patterson.
Dielmann.	Perdue.
Dodd.	Pinkston.
Downs.	Pool.
Driggers.	Pope.
Duffey.	Potter.
Dunlap.	Price.
Dunn.	Purl.
Fields.	Quaid.
Fugler.	Quinn.
Gipson.	Rice.
Green.	Robinson.
Hardin of Erath.	Rogers.
Hardin.	Rountree.
of Kaufman.	Russell
Harris.	of Callahan.
Henderson	Sackett.
of Marion.	Sanford.
Henderson	Shearer.
of McLennan.	Shires.
Hendricks.	Simpson.
Howeth.	Smith.
Hughes.	Sparkman.

Stell.	Teer.
Stewart	Thrasher.
of Edwards.	Turner.
Stewart of Jasper.	Wells.
Stewart of Reeves.	Westbrook.
Storey.	Wilson.
Stroder.	Winfree.
Sweet.	Young.

Nays—1.

Wessels.

Absent.

Avis.	Hull.
Baker of Orange.	Jennings.
Barker.	Lackey.
Bell.	McBride.
Blount.	Miller.
Bobbitt.	Morgan
Coffee.	of Robertson.
Crawford.	Pate.
Davenport.	Patman.
Dinkle.	Russell of Trinity.
Durham.	Satterwhite.
Edwards.	Stevens.
Faubion.	Stiernberg.
Finlay.	Vaughan.
Greer.	Wallace.
Harrington.	Wilms.

Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Houston.	Thompson.
Johnson.	Williamson.
Lusk.	

#### SENATE BILL NO. 350 ON SECOND READING.

On motion of Mr. Shearer, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading.

S. B. No. 350, A bill to be entitled "An Act to amend Section 7 of Chapter 74. General Laws, passed at the Second Called Session of the Thirty-sixth Legislature, providing for refund of taxes paid on marl, gravel, sand, shell or mudshell by any county, city or town; making an appropriation for said purpose out of the fish and oyster fund, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time and was passed to third reading.

#### SENATE BILL NO. 350 ON THIRD READING.

Mr. Shearer moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 350 be placed on its third reading and final passage.



The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.	Lewis.
Abney.	Loftin.
Arnold.	Looney.
Atkinson.	McDaniel.
Avis.	McDonald.
Baker of Orange.	McFarlane.
Baldwin.	McKean.
Barker.	McNatt.
Barrett.	Martin.
Beasley.	Maxwell.
Bird.	Melson.
Burmeister.	Merritt.
Cable.	Montgomery.
Carpenter	Moore.
of Dallas.	Morgan
Carpenter	of Liberty.
of Matagorda.	Patterson.
Carson.	Perdue.
Carter of Hays.	Pinkston.
Chitwood.	Pool.
Collins.	Pope.
Covey.	Potter.
Cowen.	Price.
Crawford.	Purl.
Culp.	Quaid.
Davis.	Rice.
DeBerry.	Robinson.
Dielmann.	Rogers.
Dodd.	Rountree.
Downs.	Russell
Driggers.	of Callahan.
Duffey.	Sackett.
Dunlap.	Sanford.
Dunn.	Shearer.
Faubion.	Simpson.
Fields.	Sparkman.
Fugler.	Stell.
Gipson.	Stevens.
Green.	Stewart.
Hardin	of Edwards.
of Kaufman.	Stewart of Jasper.
Harris.	Stewart of Reeves.
Henderson	Storey.
of Marion.	Stroder.
Henderson	Sweet.
of McLennan.	Teer.
Hendricks.	Thrasher.
Howeth.	Turner.
Hughes.	Wells.
Irwin.	Westbrook.
Jennings.	Wessels.
Jones.	Wilson.
Laird.	Winfree.
Lamb.	Young.
LeStourgeon.	

Present—Not Voting.

Bryant.

Absent.

Amsler.	Bobbitt.
Baker of Milam.	Bonham.
Bell.	Coffee.
Blount.	Davenport.

Dinkle.	Miller.
Durham.	Morgan
Edwards.	of Robertson.
Finlay.	Pate.
Greer.	Patman.
Hardin of Erath.	Quinn.
Hull.	Russell of Trinity.
Jacks.	Satterwhite.
Kemble.	Shires.
Lackey.	Smith.
Lane.	Stiernberg.
LeMaster.	Vaughan.
McBride.	Wallace.
Mathes.	Wilmans.

Absent—Excused.

Brady.	Lusk.
Carter of Coke.	Merriman.
Frnka.	Rowland.
Harrington.	Strickland.
Houston.	Thompson.
Johnson.	Williamson.

The Speaker then laid Senate bill No. 350 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—104.

Mr. Speaker.	Gipson.
Amsler.	Green.
Arnold.	Hardin.
Atkinson.	of Kaufman.
Avis.	Henderson
Baker of Milam.	of Marion.
Baldwin.	Henderson
Barker.	of McLennan.
Barrett.	Hendricks.
Beasley.	Hughes.
Bird.	Irwin.
Burmeister.	Jacks.
Cable.	Jennings.
Carpenter	Jones.
of Dallas.	Kemble.
Carpenter	Laird.
of Matagorda.	Lamb.
Chitwood.	Lane.
Collins.	LeStourgeon.
Covey.	Lewis.
Cowen.	Looney.
Crawford.	McDaniel.
Culp.	McDonald.
Davis.	McFarlane.
DeBerry.	McKean.
Dielmann.	McNatt.
Dinkle.	Martin.
Dodd.	Mathes.
Downs.	Maxwell.
Driggers.	Melson.
Duffey.	Merritt.
Dunn.	Montgomery.
Faubion.	Moore.
Fields.	Morgan
Finlay.	of Liberty.
Fugler.	

Morgan	Shires.
of Robertson.	Smith.
Patman.	Sparkman.
Patterson.	Stell.
Perdue.	Stevens.
Pinkston.	Stewart
Pool.	of Edwards.
Pope.	Stewart of Jasper.
Potter.	Stewart of Reeves.
Price.	Storey.
Purl.	Stroder.
Quaid.	Sweet.
Quinn.	Teer.
Rice.	Thrasher.
Robinson.	Turner.
Rogers.	Wells.
Russell	Westbrook.
of Callahan.	Wessels.
Sackett.	Wilson.
Sanford.	Winfree.
Shearer.	Young.

Nays—1.

Bryant.  
Present—Not Voting.

Abney. Simpson.  
Carter of Hays.

Absent.

Baker of Orange.	Hull.
Bell.	Lackey.
Blount.	LeMaster.
Bobbitt.	Loftin.
Bonham.	McBride.
Carson.	Miller.
Coffee.	Pate.
Davenport.	Rountree.
Dunlap.	Russell of Trinity.
Durham.	Satterwhite.
Edwards.	Stiernberg.
Greer.	Vaughan.
Hardin of Erath.	Wallace.
Harris.	Wilmans.
Howeth.	

Absent—Excused.

Brady.	Lusk.
Carter of Coke.	Merriman.
Frnka.	Rowland.
Harrington.	Strickland.
Houston.	Thompson.
Johnson.	Williamson.

#### HOUSE BILL NO. 464 ON SECOND READING.

On motion of Mr. Morgan of Liberty, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 464, A bill to be entitled "An Act to facilitate the marketing and distribution of the natural resources of the State, and the products manufactured therefrom, by extending the right

of condemnation to certain corporations, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Morgan of Liberty offered the following amendment to the bill:

Strike out all below the enacting clause and insert in lieu thereof the following:

Section 1. Corporations organized under the laws of this State and operating coal, iron ore and sulphur mines, mills, gins or other manufacturing plants, shall have the right and power to enter upon and acquire by condemnation land for ways and rights of way, upon and across the property of any person or corporation for the purpose of constructing and operating railways, tramways and roads of any character whereby to connect any part of their lands, properties or works with their principal plant or plants, or with any public road, railroad or navigable waters utilized for transportation to or from any such plant or works; provided, such ways and rights of ways shall not exceed fifty feet in width throughout the length of such railways, tramways or roads; and provided further, that such railways and tramways shall be of standard gauge.

Sec. 2. The aforesaid rights and the manner and method of securing same by condemnation shall be the same as is provided by laws relating to the condemnation of rights of way for railroads.

Sec. 3. The fact that the flow of the natural resources of the State into channels of trade and manufacture is being obstructed and the marketing and utilization thereof is being restricted to the serious detriment of the public interest by the present lack of adequate provision for securing ways for transportation, supplementing and connecting with the existing public highways for commerce, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read in each house on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

Mr. Morgan of Liberty offered the following (committee) amendment to the bill:

Strike out all above the enacting clause and insert in lieu thereof the following: "An Act to facilitate the marketing and distribution of the natural

resources of the State, and the products manufactured therefrom, by extending the right of condemnation to certain corporations, and declaring an emergency." The amendment was adopted.

House bill No. 464 was then passed to engrossment.

### HOUSE BILL NO. 464 ON THIRD READING.

Mr. Morgan of Liberty moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 464 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Mr. Speaker.	Jennings.
Abney.	Laird.
Amsler.	Lamb.
Arnold.	Lane.
Atkinson.	LeMaster.
Baker of Milam.	LeSturgeon.
Baldwin.	Loftin.
Barker.	Looney.
Barrett.	McDaniel.
Beasley.	McDonald.
Bird.	McFarlane.
Bonham.	McNatt.
Cable.	Martin.
Carpenter	Mathes.
of Dallas.	Maxwell.
Carpenter	Merritt.
of Matagorda.	Montgomery.
Carson.	Moore.
Carter of Hays.	Morgan
Chitwood.	of Liberty.
Collins.	Morgan
Cowen.	of Robertson.
Crawford.	Patterson.
DeBerry.	Perdue.
Dielmann.	Pinkston.
Dinkle.	Pool.
Dodd.	Pope.
Downs.	Potter.
Driggers.	Price.
Duffey.	Purl.
Dunn.	Quaid.
Faubion.	Quinn.
Fields.	Rice.
Finlay.	Robinson.
Gipson.	Rogers.
Green.	Rountree.
Hardin	Russell
of Kaufman.	of Callahan.
Harris.	Sackett.
Henderson	Sanford.
of Marion.	Shearer.
Hendricks.	Shires.
Howeth.	Simpson.
Hughes.	Sparkman.
Hull.	Stell.
Jacks.	Stevens.

Stewart.	Turner.
of Edwards.	Wallace.
Stewart of Jasper.	Wells.
Stewart of Reeves.	Westbrook.
Storey.	Wessels.
Stroder.	Wilson.
Sweet.	Winfree.
Teer.	Young.
Thrasher.	

Absent.

Avis.	Henderson
Baker of Orange.	of McLennan.
Bell.	Irwin.
Blount.	Jones.
Bobbitt.	Kemble.
Bryant.	Lackey.
Burmeister.	Lewis.
Coffee.	McBride.
Covey.	McKean.
Culp.	Melson.
Davenport.	Miller.
Davis.	Pate.
Dunlap.	Patman.
Durham.	Russell of Trinity.
Edwards.	Satterwhite.
Fugler.	Smith.
Greer.	Stiernberg.
Hardin of Erath.	Vaughan.
	Wilmans.

Absent—Excused.

Brady.	Lusk.
Carter of Coke.	Merriman.
Frnka.	Rowland.
Harrington.	Strickland.
Houston.	Thompson.
Johnson.	Williamson.

The Speaker then laid House bill No. 464 before the House on its third reading and final passage.

The bill was read third time and was passed.

### SENATE BILL NO. 429 ON SECOND READING.

On motion of Mr. LeMaster, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 429, A bill to be entitled "An Act to amend an act passed by the Thirty-fourth Legislature of Texas at its Regular Session and approved February 18, 1915, which act was House bill No. 177, Chapter 17, of the said session of the said Legislature, amending Sections 26 and 53 of Article 30, of the Revised Civil Statutes of Texas, 1911, to reorganize the Twenty-sixth Judicial District of Texas; to abolish the criminal district court of Travis and Williamson counties; to create the Ninety-sixth Judicial District of Texas; to fix

and define the jurisdiction of the Twenty-sixth, Fifty-third and Ninety-sixth Judicial Districts of Texas; to fix the time of holding of courts in each of the said judicial districts; to provide for the organization of grand juries in each of the courts held in the said judicial districts; to provide for a district attorney for the counties of Travis and Williamson, and fixing his compensation; to provide for the transfer of the causes pending on the docket of the said criminal district court of Williamson county to the Twenty-sixth Judicial District court, and for the transfer of all cases on the docket of the said criminal district court in Travis county to the Fifty-third and Ninety-sixth Judicial District courts; to provide for the election of a judge for the Ninety-sixth Judicial District court; to provide for the appointment of court reporters for the Twenty-sixth, Fifty-third and Ninety-sixth Judicial Districts; to conform and validate all writs, process, bonds, recognizances, judgments, orders of the said criminal district court, transferred hereunder, and the drawing of grand and petit juries in conformance with the changes herein made; to fix the time that this act shall take effect, and to repeal all laws and parts of laws in conflict herewith."

The Speaker laid the bill before the House and it was read second time was passed to third reading.

#### SENATE BILL NO. 429 ON THIRD READING.

Mr. Teer moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 429 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.	Carson.
Abney.	Chitwood.
Arnold.	Covey.
Avis.	Cowen.
Baker of Milam.	Culp.
Baldwin.	DeBerry.
Barker.	Dielmann.
Barrett.	Dinkle.
Beasley.	Dodd.
Bird.	Downs.
Bonham.	Driggers.
Burmeister.	Dunlap.
Cable.	Dunn.
Carpenter	Faubion.
of Dallas.	Fields.
Carpenter	Finlay.
of Matagorda.	Gipson.

Green.  
Hardin of Erath.  
Harris.  
Henderson  
of Marion.  
Hendricks.  
Howeth.  
Hughes.  
Hull.  
Irwin.  
Jacks.  
Jennings.  
Jones.  
Laird.  
Lamb.  
Lane.  
LeMaster.  
LeStourgeon.  
Lewis.  
Loftin.  
Looney.  
McDonald.  
McFarlane.  
McKean.  
McNatt.  
Martin.  
Maxwell.  
Merritt.  
Montgomery.  
Moore.  
Morgan  
of Liberty.  
Morgan  
of Robertson.  
Pate.  
Patterson.  
Perdue.

Pinkston.  
Pool.  
Potter.  
Price.  
Purl.  
Quaid.  
Quinn.  
Rice.  
Robinson.  
Rogers.  
Russell  
of Callahan.  
Sackett.  
Sanford.  
Shearer.  
Shires.  
Simpson.  
Smith.  
Sparkman.  
Stell.  
Stevens.  
Stewart  
of Edwards.  
Stewart of Jasper.  
Stewart of Reeves.  
Storey.  
Stroder.  
Sweet.  
Teer.  
Thrasher.  
Turner.  
Wallace.  
Wells.  
Westbrook.  
Wilson.  
Young.

Nays—2.

Atkinson.

Wessels.

Absent.

Amsler.	Henderson
Baker of Orange.	of McLennan.
Bell.	Kemble.
Blount.	Lackey.
Bobbitt.	McBride.
Bryant.	McDaniel.
Carter of Hays.	Mathes.
Coffee.	Melson.
Collins.	Miller.
Crawford.	Patman.
Davenport.	Pope.
Davis.	Rountree.
Duffey.	Russell of Trinity.
Durham.	Satterwhite.
Edwards.	Stiernberg.
Fugler.	Vaughan.
Greer.	Wilmons.
Hardin	Winfree.
of Kaufman.	

Absent—Excused.

Brady.	Houston.
Carter of Coke.	Johnson.
Frnka.	Lusk.
Harrington.	Merriman.

Rowland.  
Strickland.

Thompson.  
Williamson.

The Speaker then laid Senate bill No. 429 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—103.

Mr. Speaker.	LeMaster.
Abney.	LeSturgeon.
Amsler.	Lewis.
Arnold.	Loftin.
Atkinson.	McDaniel.
Avis.	McDonald.
Baker of Milam.	McFarlane.
Baldwin.	McKean.
Barker.	McNatt.
Barrett.	Martin.
Beasley.	Maxwell.
Bird.	Melson.
Bonham.	Merritt.
Burmeister.	Montgomery.
Cable.	Moore.
Carpenter	Morgan
of Dallas.	of Liberty.
Carpenter	Morgan
of Matagorda.	of Robertson.
Carson.	Pate.
Carter of Hays.	Patterson.
Chitwood.	Pinkston.
Collins.	Pool.
Covey.	Pope.
Cowen.	Potter.
Crawford.	Price.
Culp.	Purl.
Dielmann.	Quaid.
Dinkle.	Quinn.
Dodd.	Rice.
Downs.	Robinson.
Driggers.	Rogers.
Dunlap.	Rountree.
Dunn.	Russell
Faubion.	of Callahan.
Fields.	Sackett.
Finlay.	Sanford.
Gipson.	Shires.
Green.	Simpson.
Hardin of Erath.	Smith.
Hardin	Sparkman.
of Kaufman.	Stell.
Harris.	Stevens.
Henderson	Stewart of Jasper.
of Marion.	Stewart of Reeves.
Hendricks.	Storey.
Hughes.	Stroder.
Hull.	Teer.
Irwin.	Thrasher.
Jacks.	Turner.
Jennings.	Wallace.
Jones.	Wells.
Laird.	Westbrook.
Lamb.	Wilson.
Lane.	Young.

Nays—4.

Looney.  
Mathes.

Stewart.  
of Edwards.  
Wessels.

Present—Not Voting

DeBerry.

Absent.

Baker of Orange.	Howeth.
Bell.	Kemble.
Blount.	Lackey.
Bobbitt.	McBride.
Bryant.	Miller.
Coffee.	Patman.
Davenport.	Perdue.
Davis.	Russell of Trinity.
Duffey.	Satterwhite.
Durham.	Shearer.
Edwards.	Stiernberg.
Fugler.	Sweet.
Greer.	Vaughan.
Henderson	Wilmans.
of McLennan.	Winfree.

Absent—Excused.

Brady.	Lusk.
Carter of Coke.	Merriman.
Frnka.	Rowland.
Harrington.	Strickland.
Houston.	Thompson.
Johnson.	Williamson.

#### HOUSE BILL NO. 315 ON SECOND READING.

On motion of Mr. Martin, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 315, A bill to be entitled "An Act to provide for certain sanitary requirements of bottling plants and soft drink stands; to prohibit the use of saccharin in carbonated or still beverages and to provide for a penalty, and to create an emergency."

The Speaker laid the bill before the House and it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 315 ON THIRD READING.

Mr. Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 315 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Mr. Speaker.	Amsler.
Abney.	Arnold.

Atkinson.	Looney.
Avis.	McDaniel.
Baker of Milam.	McDonald.
Baldwin.	McFarlane.
Barker.	McKean.
Barrett.	McNatt.
Beasley.	Martin.
Bird.	Mathes.
Bonham.	Maxwell.
Cable.	Melson.
Carpenter	Merritt.
of Dallas.	Moore.
Carpenter	Morgan
of Matagorda.	of Robertson.
Carson.	Pate.
Carter of Hays.	Patterson.
Chitwood.	Perdue.
Collins.	Pinkston.
Covey.	Pool.
Cowen.	Pope.
Crawford.	Potter.
Dielmann.	Price.
Dinkle.	Purl.
Dodd.	Quaid.
Downs.	Quinn.
Driggers.	Rice.
Duffey.	Robinson.
Dunlap.	Rogers.
Dunn.	Rountree.
Faubion.	Russell
Fields.	of Callahan.
Finlay.	Sackett.
Gipson.	Sanford.
Green.	Shearer.
Hardin of Erath.	Smith.
Harris.	Sparkman.
Henderson	Stell.
of Marion.	Stevens.
Hendricks.	Stewart
Howeth.	of Edwards.
Hughes.	Stewart of Jasper.
Hull.	Stewart of Reeves.
Irwin.	Storey.
Jacks.	Stroder.
Jennings.	Teer.
Kemble.	Thrasher.
Laird.	Turner.
Lamb.	Wallace.
Lane.	Wells.
LeStourgeon.	Wilson.
Lewis.	Winfree.
Loftin.	Young.

Nays—2.

Simpson. Westbrook.

Absent.

Baker of Orange.	Davis.
Bell.	DeBerry.
Blount.	Durham.
Bobbitt.	Edwards.
Bryant.	Fugler.
Burmeister.	Greer.
Coffee.	Hardin.
Culp.	of Kaufman.
Davenport.	

Henderson	Patman.
of McLennan.	Russell of Trinity.
Jones.	Satterwhite.
Lackey.	Shires.
LeMaster.	Stiernberg.
McBride.	Sweet.
Miller.	Vaughan.
Montgomery.	Wessels.
Morgan	Wilms.
of Liberty.	

Absent—Excused.

Brady.	Lusk.
Carter of Coke.	Merriman.
Frnka.	Rowland.
Harrington.	Strickland.
Houston.	Thompson.
Johnson.	Williamson.

The Speaker then laid House bill No. 315 before the House on its third reading and final passage.

The bill was read third time and was passed.

#### HOUSE BILL NO. 248 ON SECOND READING.

On motion of Mr. Rice, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 248, A bill to be entitled "An Act to amend Chapter 37 of the Acts of the First Called Session of the Thirty-third Legislature of the State of Texas, being an act to amend certain articles of Chapter 5, Title 14, Revised Criminal Statutes, 1911, and certain articles of Title 131, Revised Civil Statutes, 1911; and Chapter 126 of the Acts of the Regular Session of the Thirty-sixth Legislature of Texas, being an act to establish a uniform warehouse receipt, and Chapter 54 of the Second Called Session of the Thirty-sixth Legislature of Texas, being an act to amend Article 7819, Revised Civil Statutes, 1911; providing for the conduct of the business of public warehousemen; defining certain terms used in this act; defining who are public warehousemen; providing that all persons shall obtain certificate from the commissioner authorizing the operation of public warehouses; requiring bond to be filed; providing for inspection of warehouses before issuing certificate; requiring records to be kept; providing for inspection and examinations; requiring quarterly reports and prescribing contents of same; requiring other reports to be made on request of commissioner; providing for canceling of certificates of warehousemen, prescribing duties of

public warehousemen, and providing for liens to secure their charges; providing for the enforcement of liens; providing for uniform receipt; defining warehousemen's powers; providing penalties; repealing certain statutes, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. LeSturgeon offered the following amendment to the bill:

Amend House bill No. 248, adding on page 18, after Section 65, the following sections, 65a, 65b, 65c:

Section 65a. Ninety days after the passage of this act every warehouseman shall file with the commission and keep open for public inspection a schedule of rates. The commission shall determine and prescribe the form in which the schedule required above shall be prepared, and no warehouseman shall undertake to perform any service, or store any goods, wares or merchandise unless or until such schedule of rates shall have been filed and published in accordance with the provisions of this act; provided, that in case of emergency a service or storage not specifically covered by schedules may be performed or furnished at a reasonable rate, which rate shall forthwith be filed with the commission, as above provided; and there shall be filed from time to time such changes in the schedule of rates as there may be made by such warehouseman. Any warehouseman, or any officer, agent or servant of a warehouseman who fails or refuses to file a schedule of rates as herein provided shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than one hundred (\$100) dollars nor more than one thousand (\$1000) dollars, and upon a second conviction in any one year, the certificate or license issued by the commission shall be revoked and shall be reissued only when the schedule of rates shall be filed as provided for herein.

Section 65b. No warehouseman shall have, demand, collect or receive a greater or less or different compensation for any service rendered or for storing any goods, or wares or merchandise, than the rate or rates applicable to such service or storage, as specified in the schedules on file and in effect at the time. Provided, nevertheless, that when a warehouseman shall have had goods in store for such a period that the storage charges thereon accumulated are more than such goods would bring at a forced sale the proceeds from such forced sale

as provided for in this act may be applied against said charges and not be deemed a violation of this section.

Section 65c. Except as herein otherwise specified no warehouseman, nor any officer, agent or employe thereof, shall directly or indirectly by remittance, rebate, or any device, inducement or other means whatsoever, suffer or permit any corporation, or person, to obtain any service, or the storage of any goods, wares or merchandise at less than the rate or rates then established and in force, as shown by the schedule filed and in effect at the time. No person or corporation shall directly or indirectly, by any device, inducement or means whatsoever, either with or without the consent or connivance of a warehouseman or any of the officers, agents or employes therefor, obtain or seek to obtain, any service, or the storage of any goods, wares or merchandise at less than the rate or rates then established and in force therefor. Any warehouseman, or the officers, agents or employes thereof, or any person acting for or employed by it, or transacting business with it, or any person who shall violate any provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than one hundred (\$100) dollars nor more than one thousand (\$1000) dollars.

Amend the caption of House bill No. 248 by adding after the word "act," on line 29 of the caption, and inserting "providing for the filing of a schedule of rates with the commissioner; providing against rebating; providing penalty for rebating, and providing penalty for soliciting rebates."

The amendment was adopted.

Mr. Westbrook offered the following amendment to the bill:

Amend division j, Section 11, page 6, House bill No. 248, by adding thereto the following: "Provided further, that a public or licensed weigher's certificate of weight attached to a negotiable warehouse receipt shall be deemed to comply with the above provisions as to statement of weight."

The amendment was adopted.

House bill No. 248 was then passed to engrossment.

#### HOUSE BILL NO. 248 ON THIRD READING.

Mr. Rice moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 248 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102.

Mr. Speaker.	LeStourgeon.
Abney.	Loftin.
Amsler.	Looney.
Arnold.	McDaniel.
Atkinson.	McDonald.
Avis.	McFarlane.
Baker of Milam.	McKean.
Baldwin.	McNatt.
Barker.	Martin.
Barrett.	Mathes.
Beasley.	Maxwell.
Bird.	Melson.
Bobbitt.	Merritt.
Bonham.	Moore.
Bryant.	Morgan
Burmeister.	of Liberty.
Cable.	Morgan
Carpenter	of Robertson.
of Dallas.	Pate.
Carpenter	Patman.
of Matagorda.	Pinkston.
Carson.	Pool.
Carter of Hays.	Potter.
Chitwood.	Price.
Coffee.	Purl.
Covey.	Quaid.
Davis.	Quinn.
DeBerry.	Rice.
Dielmann.	Robinson.
Dinkle.	Rogers.
Downs.	Rountree.
Driggers.	Russell
Duffey.	of Callahan.
Dunlap.	Sackett.
Dunn.	Sanford.
Edwards.	Satterwhite.
Faubion.	Shearer.
Fields.	Shires.
Finlay.	Simpson.
Fugler.	Sparkman.
Green.	Stell.
Hardin of Erath.	Stewart of Jasper.
Harris.	Stewart of Reeves.
Hendricks.	Storey.
Howeth.	Stroder.
Hughes.	Sweet.
Jacks.	Teer.
Jennings.	Turner.
Jones.	Wallace.
Kemble.	Westbrook.
Lackey.	Wilson.
Laird.	Winfree.
Lamb.	Young.
Lane.	

Nays—4.

Culp.	Henderson
Hardin	of McLennan.
of Kaufman.	Wessels.

Absent.

Baker of Orange.	Collins.
Bell.	Cowen.
Blount.	Crawford.

Davenport.	Montgomery.
Dodd.	Patterson.
Durham.	Perdue.
Gipson.	Pope.
Greer.	Russell of Trinity.
Henderson	Smith.
of Marion.	Stevens.
Hull.	Stewart.
Irwin.	of Edwards.
LeMaster.	Stiernberg.
Lewis.	Thrasher.
McBride.	Vaughan.
Miller.	Wells.

Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmans.
Lusk.	

The Speaker then laid House bill No. 248 before the House on its third reading and final passage.

The bill was read third time and was passed.

#### HOUSE BILL NO. 44 ON SECOND READING.

On motion of Mr. Sanford, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 44, A bill to be entitled "An Act to preserve and protect the wild fur-bearing animals of this State; declaring wild fur-bearing animals to be the property of the State; providing for the issuance of trappers' licenses, and the disposition of the license fees; defining offenses and prescribing penalties for the violation thereof; and making it the duty of the Game, Fish and Oyster Commissioner and his deputies to enforce the provisions of this act; repealing all laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Sanford offered the following amendment to the bill:

Amend House bill No. 44 by striking out all after the enacting clause and insert the following:

Section 1. All the wild fur-bearing animals of this State are hereby declared to be the property of the people of this State.

Sec. 2. Wild beaver, wild otter, wild bear, wild mink, wild raccoon, wild ring-tailed cat, wild muskrat, wild badger, wild fox, wild opossum are here-



by declared to be the fur-bearing animals within the meaning of this act.

Sec. 3. It shall be unlawful for any citizen of this State to have in possession, dead or alive, or to take, kill, trap or attempt to take in a snare, trap or deadfall for the purpose of sale any of the wild fur-bearing animals of this State mentioned in Section 2 of this act without first having procured a license to do so from the Game, Fish and Oyster Commissioner, or from one of his deputies, or from any county clerk, and for which he shall pay to the officer from whom he secures such license the sum of one dollar and fifteen cents; fifteen cents of which amount shall be retained by such officer as his fee for collecting, issuing and making report on such license.

Sec. 4. It shall be unlawful for any non-resident of this State, or any person, association of persons, firm or corporation (whether residents or non-residents of the State of Texas) employed on salary or commission, or both salary and commission, or furnish any equipment or supplies, or both, to be used in connection with, or for purposes of trapping in any manner any of the animals protected under this act, to have in possession, dead or alive, or to take, kill, trap or attempt to take in a snare, trap or deadfall any of the wild fur-bearing animals of this State mentioned in Section 2 of this act without first having procured a license to do so from the Game, Fish and Oyster Commissioner, or from one of his deputies, or from any county clerk and for which he shall pay to the officer from whom he secures such license the sum of two hundred and fifty dollars, ten dollars of which amount shall be retained as his fee for collecting, issuing and making report on such license.

Sec. 5. License granting the privilege to trap the fur-bearing animals of this State shall be issued by the Game, Fish and Oyster Commissioner, who shall have prepared suitable licenses, and have printed thereon the names of protected fur-bearing animals, the date of open season and the words "Trapping license No. . . . , State of Texas, not transferable. Expires February 1, 19. . ." with serial numbers and appropriate years. Also printed thereon "and notice to the effect that a report under oath on the number and kind of fur-bearing animals taken must be made not later than February 15th of each year to the Game, Fish and Oyster Com-

missioner." Such license will permit the holder thereof to take any of the fur-bearing animals mentioned in Section 2 (except beaver and fox) during the open season provided herein, either in the daytime or at night, but no fur-bearing animal shall be taken from a den or hole by digging, smoking or by the use of chemicals.

Sec. 6. It shall be unlawful for any person to take, kill, trap or attempt to trap, or have in possession, alive or dead, for purpose of sale any of the wild fur-bearing animals of this State mentioned in Section 2 of this act between the first of February and the first day of November of any year. Provided, however, that nothing in this act shall prohibit the use of traps at any time of the year for the catching of such animals when they are found injuring or doing damage to, or destroying any property. The person whose property is being injured, damaged or destroyed may kill or trap them on his own premises when necessary for the protection of his property, but the fur-bearing animals, or any part thereof, so taken or killed shall not be possessed, bought, sold or trafficked in.

Sec. 7. It shall be unlawful for any person to trap or set any trap or deadfall on the enclosed lands of another without the consent or permission of the owner of said land. In prosecutions for violations of this section, burden of proof shall be on the defendant to show that he had such permission.

Sec. 8. Owners or tenants or their children actually residing on farm or ranch lands who shall have resided thereon for a period of six months next preceding the opening of the trapping season herein provided shall have the right to trap wild fur-bearing animals during the open season when it is lawful to do so, upon such lands on which they or their parents are owners or tenants without being required to procure trapping licenses.

Sec. 9. It shall be unlawful for any person to take, move or disturb the traps of any licensed trapper, or without his permission to take any fur-bearing animal from his traps when such licensed trapper is trapping on public lands, or on land where he has permission to trap.

Sec. 10. It shall be the duty of every person holding a license as provided by this act to trap fur-bearing animals, to carry with him the license to do so, and shall exhibit it on demand to any

peace officer or any officer authorized to enforce the game laws of this State.

Sec. 11. It shall be unlawful for any person to kill, trap or attempt to trap, take, or have in his possession for the purpose of sale within the period of ten years from the passage of this act any wild beaver or wild fox.

Sec. 12. It shall be unlawful for any person to sell or have in possession for the purpose of sale, or have in possession after purchase, any wild beaver or wild fox, or the hide thereof, killed within this State.

Sec. 12½. It shall be unlawful for any person within the counties of Brazoria, Fort Bend, Harris, Matagorda, Polk, Trinity, Walker and Waller at any time within five years from and after the passage of this act to trap or to attempt to trap by any means whatsoever, any raccoon. And it shall also be unlawful for any person to have in his possession any wild raccoon, or the hide thereof, or any part thereof which has been taken, trapped or caught in violation of this section.

Sec. 13. All moneys collected from the fines and penalties for the violation of this act, and all moneys collected from the sale of trappers' licenses shall belong to the special game fund of this State, and shall be paid over by the Game, Fish and Oyster Commissioner to the Treasurer of the State during the first week of each month and shall be credited to such special fund. Provided that county attorneys shall receive ten per centum and officers making collection five per centum of any fine or fines assessed for violation of this act.

Sec. 14. It shall be unlawful to hunt fur-bearing animals at any time of the year with what is commonly known as a headlight, or with any artificial light worn on or about the head.

Sec. 15. Any person setting or placing any trap, snare, steel trap or deadfall shall inspect the same within each twenty-four hours thereafter and shall remove therefrom any animal or fowl caught therein.

Sec. 16. It shall be the duty of any person setting or placing any trap, snare or deadfall to place same where it will be inaccessible to domestic animals or fowls, and the owner of any trap, snare or deadfall in which a domestic animal or fowl is caught may be held legally responsible for the damage or injury to such domestic animal or fowl.

Sec. 17. It shall be required of each and every holder of a trapping license to make a report under oath in detail

to the Game, Fish and Oyster Commissioner, in writing, at any time during the month of March each year. Such report shall give the number of trapping license, the number and kind of fur-bearing animals killed or taken, and the name of the county in which they were killed or taken. Such report shall be certified to as to its correctness, and signed by owner of license. Failure on the part of the holder of any trapping license to make report as herein provided shall prevent such person from securing a trapping license for the next following season.

Sec. 18. It shall be unlawful to trap or attempt to take with a trap or deadfall, any bear at any time in this State except as provided in Section 6.

Sec. 19. Provided that nothing in this law shall prevent the capture of wild fur-bearing animals for zoological parks or gardens or museums, or for propagation or scientific purposes, but before any fur-bearing animal is taken, permission in writing must be secured from the Game, Fish and Oyster Commissioner. Application for such permit must be made with an affidavit setting forth what fur-bearing animals and the number are desired and the purpose for which the applicant desires them.

Sec. 20. It shall be the duty of the Game, Fish and Oyster Commissioner and his deputies to enforce the provisions of this act.

Sec. 21. It shall be the duty of the Game, Fish and Oyster Commissioner to keep in his office in the Capitol of this State a well bound book in which he shall keep a complete record of trappers' licenses, showing serial numbers distributed to county clerks and deputy game, fish and oyster commissioners, and of moneys received from sales of such licenses.

Sec. 22. It shall be the duty of the county clerks and deputy game, fish and oyster commissioners of this State, within ten days of the close of each calendar month, to make out a detailed report showing the serial number and date of each trapping license issued, and the name and residence of the person to whom issued, and shall forward such report with amount as shown which is due to the Game, Fish and Oyster Commissioner of this State.

Sec. 23. It shall be unlawful at any time of the year to set or place a steel trap the jaws of which have a wider spread than six inches unless such trap is enclosed by at least two strands of

barbed wire, one three and one four feet from the ground, said wire to be securely held in place and not over ten yards at any place from the enclosed trap.

Sec. 24. Every person violating any of the provisions of this act shall, upon conviction, be punished by a fine of not less than ten dollars nor more than one hundred dollars. Provided, each animal taken and each attempt to take them in violation of this act shall be a separate offense.

Sec. 24½. That none of the provisions of this act shall apply to the counties of Maverick, Kinney, Val Verde, Terrell and Brewster and said above counties are hereby especially exempted.

Sec. 25. That all laws and parts of laws in conflict herewith be and the same are hereby repealed.

Sec. 25½. That in the event any part or parts of this act is held invalid, unconstitutional or inoperative, this shall not effect or operate to invalidate any of the remaining parts of this act.

Sec. 26. The fact that there is now no adequate law relating to fur-bearing animals creates an imperative public necessity that the constitutional rule requiring bills to be read on three several days be and the same is hereby suspended and that this act take effect and be in force from and after its passage, and it is so enacted.

Mr. Quinn offered the following amendment to the amendment:

Amend committee substitute House bill No. 40 as amended by adding after Section 23, Section 23a to read as follows: "Providing, however, that the open season for killing or trapping muskrat shall be from November 1 to April 1."

The amendment to the amendment was adopted.

Mr. Lackey offered the following amendment to the amendment:

Amend House bill No. 44 as substituted by the committee (committee substitute No. 2) as follows: Page 8, Section 2, by striking out the words "wild raccoon," "wild striped skunk or polecat," and "wild opossum."

On motion of Mr. Culp, the amendment was tabled.

Mr. Stewart of Jasper offered the following amendment to the amendment:

Amend second committee amendment to House bill No. 44, page 9, line 34, by striking out "February" and substituting "March."

The amendment was adopted.

Mr. Harris offered the following amendment to the amendment:

Amend amendment to House bill No. 44, strike out Section 3 and renumber sections accordingly.

The amendment was adopted.

Mr. Carson offered the following amendment to the amendment:

Amend House bill No. 44, as substituted, by striking out enacting clause.

Mr. Baker of Milam moved to table the amendment.

The motion prevailed.

Question recurring on the committee amendment as amended, it was adopted.

Mr. Sanford offered the following amendment to the bill:

Amend House bill No. 44 by striking out all before the enacting clause and insert the following:

A bill to be entitled "An Act to preserve and protect the wild fur-bearing animals of this State; declaring wild fur-bearing animals to be the property of the State; providing for the issuance of trapper's licenses, and the disposition of the license fees; defining offenses and prescribing penalties for the violation thereof, and making it the duty of the Game, Fish and Oyster Commissioner and his deputies to enforce the provisions of this act; repealing all laws in conflict herewith; certain counties exempt; prohibiting trapping of raccoon in certain counties, and declaring an emergency."

The amendment was adopted.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 44 was then passed to engrossment by the following vote:

Yeas—72.

Amsler.	Edwards.
Arnold.	Faubion.
Avis.	Finlay.
Baker of Milam.	Fugler.
Baldwin.	Gipson.
Barker.	Green.
Barrett.	Harrington.
Beasley.	Harris.
Bryant.	Henderson
Cable.	of Marion.
Carpenter	Hendricks.
of Matagorda.	Hughes.
Chitwood.	Jacks.
Covey.	Jennings.
Crawford.	Kemble.
Culp.	Lane.
Davis.	LeSturgeon.
Dielmann.	Lewis.
Dinkle.	Loftin.
Dodd.	McDaniel.
Dunn.	McDonald.

McFarlane.	Rogers.
Martin.	Rountree.
Mathes.	Russell
Melson.	of Callahan.
Merritt.	Sackett.
Moore.	Sanford.
Morgan	Satterwhite.
of Liberty.	Shearer.
Patman.	Simpson.
Patterson.	Sparkman.
Perdue.	Stell.
Pinkston.	Stewart of Jasper.
Potter.	Storey.
Price.	Stroder.
Purl.	Turner.
Quinn.	Wallace.
Rice.	Wells.
Robinson.	Winfree.

## Nays—33.

Atkinson.	Lamb.
Bell.	LeMaster.
Bird.	Looney.
Bonham.	McKean.
Burmeister.	McNatt.
Carson.	Maxwell.
DeBerry.	Morgan
Downs.	of Robertson.
Driggers.	Pate.
Duffey.	Quaid.
Dunlap.	Stewart.
Hardin of Erath.	of Edwards.
Hardin	Stewart of Reeves.
of Kaufman.	Teer.
Henderson	Thrasher.
of McLennan.	Wessels.
Jones.	Wilson.
Lackey.	Young.
Laird.	

## Present—Not Voting.

Abney.	Howeth.
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## Absent.

Baker of Orange.	Irwin.
Blount.	McBride.
Bobbitt.	Miller.
Carpenter	Montgomery.
of Dallas.	Pool.
Carter of Hays.	Pope.
Coffee.	Russell of Trinity.
Collins.	Shires.
Cowen.	Smith.
Davenport.	Stevens.
Durham.	Stiernberg.
Fields.	Sweet.
Greer.	Vaughan.
Hull.	Westbrook.

## Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Houston.	Thompson.
Johnson.	Williamson.
Lusk.	Wilmans.

## HOUSE BILL NO. 44 ON THIRD READING.

Mr. Harris moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 44 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—91.

Mr. Speaker.	McFarlane.
Abney.	Martin.
Amsler.	Mathes.
Arnold.	Maxwell.
Avis.	Melson.
Baker of Milam.	Merritt.
Baldwin.	Moore.
Barker.	Morgan
Barrett.	of Liberty.
Beasley.	Morgan
Bell.	of Robertson.
Bird.	Pate.
Bobbitt.	Patman.
Bryant.	Patterson.
Cable.	Perdue.
Carpenter	Pinkston.
of Matagorda.	Pope.
Chitwood.	Potter.
Covey.	Price.
Crawford.	Purl.
Culp.	Quinn.
Davis.	Rice.
DeBerry.	Robinson.
Dielmann.	Rogers.
Dodd.	Rountree.
Dunlap.	Russell
Dunn.	of Callahan.
Edwards.	Sackett.
Faubion.	Sanford.
Finlay.	Satterwhite.
Fugler.	Shearer.
Green.	Simpson.
Greer.	Sparkman.
Hardin of Erath.	Stell.
Harris.	Stewart.
Henderson	of Edwards.
of Marion.	Stewart of Jasper.
Hendricks.	Stewart of Reeves.
Hughes.	Storey.
Irwin.	Stroder.
Jacks.	Teer.
Jennings.	Turner.
Jones.	Wallace.
Kemble.	Wells.
Lane.	Westbrook.
LeStourgeon.	Wilson.
Loftin.	Winfree.
McDaniel.	Young.
McDonald.	

## Nays—20.

Atkinson.	Duffey.
Burmeister.	Gipson.
Carson.	Henderson
Cowen.	of McLennan.
Downs.	Lackey.

Laird.  
Lamb.  
LeMaster.  
Looney.  
McKean.  
McNatt.

Pool.  
Quaid.  
Stevens.  
Thrasher.  
Wessels.

Absent.

Baker of Orange. Hardin  
Blount. of Kaufman.  
Bonham. Howeth.  
Carpenter Hull.  
of Dallas. Lewis.  
Carter of Hays. McBride.  
Coffee. Miller.  
Collins. Montgomery.  
Davenport. Russell of Trinity.  
Dinkle. Shires.  
Driggers. Smith.  
Durham. Stiernberg.  
Fields. Sweet.  
Vaughan.

Absent—Excused.

Brady. Merriman.  
Carter of Coke. Rowland.  
Frnka. Strickland.  
Harrington. Thompson.  
Houston. Williamson.  
Johnson. Wilmans.  
Lusk.

The Speaker then laid House bill No. 44 before the House on its third reading and final passage.

The bill was read third time and was passed.

#### NOTICE GIVEN.

Mr. Carpenter of Dallas gave notice that he would tomorrow call up for consideration at that time Senate bill No. 143, which bill had heretofore been laid on the table subject to call.

#### HOUSE BILL NO. 3 ON SECOND READING.

On motion of Mr. Dielmann, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 3, A bill to be entitled "An Act to provide for the purchase and conveyance to the State of Texas of the land in the city of San Antonio known as the Ancient Government Palace property, which was the building used as the capitol of the ancient province of Texas, and for the care and preservation of said property, and appropriating the sum of fifty-seven thousand (\$57,000) dollars to carry out the provisions of this act."

The Speaker laid the bill before the House and it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 3 ON THIRD READING.

Mr. LeSturgeon moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 3 be placed on its third reading and final passage.

The motion was lost by the following vote, not receiving the necessary four-fifths vote:

Yeas—66.

Mr. Speaker.	McDaniel.
Amsler.	McNatt.
Arnold.	Martin.
Avis.	Maxwell.
Baker of Milam.	Merritt.
Beasley.	Montgomery.
Bobbitt.	Moore.
Bonham.	Morgan
Bryant.	of Liberty.
Carpenter	Pate.
of Dallas.	Patman.
Carson.	Patterson.
Chitwood.	Pinkston.
Cowen.	Pool.
Davenport.	Potter.
DeBerry.	Price.
Dielmann.	Purl.
Dinkle.	Quinn.
Dunn.	Robinson.
Edwards.	Rogers.
Fields.	Russell
Finlay.	of Callahan.
Gipson.	Sanford.
Green.	Satterwhite.
Hardin of Erath.	Shearer.
Hardin	Simpson.
of Kaufman.	Sparkman.
Harris.	Stell.
Hendricks.	Stewart.
Hughes.	of Edwards.
Hull.	Stroder.
Lackey.	Turner.
Lamb.	Wells.
LeSturgeon.	Winfree.
Lewis.	Young.
Loftin.	

Nays—34.

Abney.	Jacks.
Atkinson.	Jennings.
Barker.	Kemble.
Barrett.	Laird.
Bird.	LeMaster.
Burmeister.	Looney.
Cable.	McFarlane.
Davis.	McKean.
Dodd.	Morgan
Downs.	of Robertson.
Driggers.	Quaid.
Duffey.	Sackett.
Fugler.	Shires.
Henderson	Stevens.
of McLennan.	Stewart of Jasper.
Howeth.	Storey.

Teer.  
Thrasher.

Wessels.  
Wilson.

Present—Not Voting.

Baldwin. Carpenter  
of Matagorda.

Absent.

Baker of Orange.	McBride.
Bell.	McDonald.
Blount.	Mathes.
Carter of Hays.	Melson.
Coffee.	Miller.
Collins.	Perdue.
Covey.	Pope.
Crawford.	Rice.
Culp.	Rountree.
Dunlap.	Russell of Trinity.
Durham.	Smith.
Faubion.	Stewart of Reeves.
Greer.	Stiernberg.
Henderson	Sweet.
of Marion.	Vaughan.
Irwin.	Wallace.
Jones.	Westbrook.
Lane.	

Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmans.
Lusk.	

#### RELATING TO CONSIDERATION OF SENATE BILLS.

The Speaker laid before the House, for consideration at this time, the following resolution with the following committee report:

Be it resolved by the House of Representatives:

That that part of Section 5 of House Rule 19, providing that no Senate bill on its second reading shall be considered during the last seventy-two hours of the Regular Session of the Legislature or during the last seventy-two hours of any Special or Called Session, be suspended, and that it shall be in order to consider Senate bills on their second reading until 10 o'clock p. m., Monday, March 12.

Mr. Speaker: Your Committee on Rules having had under consideration the resolution by Mr. Westbrook suspending Rule 19, Section 5, so as to consider Senate bills on second reading until 10 o'clock p. m. Monday, March 12, beg to report same back to the House with a recommendation that it do pass with committee amendment by striking out the words "ten o'clock p. m." and insert

in lieu thereof the words "twelve o'clock noon."

RUSSELL of Callahan.

Question recurring on the (committee) amendment, it was adopted.

Question then recurring on the resolution as amended, it was adopted.

#### HOUSE BILL NO. 45 WITH SENATE AMENDMENTS.

Mr. Stewart of Edwards called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 45, A bill to be entitled "An Act to prevent the selling of bass, white perch, crappie, channel or other cat fish in the counties of Burnet, Llano, San Saba, Brown, McCulloch, Edwards, Coleman, Concho, Menard, Blanco, Gillespie, Kimble, Sutton, Kinney, Uvalde, Real, Kerr, Val Verde, Bandera, Kendall, Comal, Reeves, Ward, Loving and Pecos, State of Texas; prohibiting the use of any seine, net, trap or other device for taking or catching fish other than a minnow seine which shall not be more than twenty feet in length; limiting the size of fish which may be taken with a minnow seine; making it unlawful to violate any of the provisions of this law, and providing penalties for the violations thereof; providing that the district judge of the judicial districts in which these counties are situated shall give a special charge upon this law to the grand juries of said counties, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Stewart of Edwards moved that the House do not concur in the Senate amendments, and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

The Speaker announced the appointment of the following Conference Committee on the part of the House on House bill No. 45:

Messrs. Stewart of Edwards, Thrasher, Faubion, Finlay, Stewart of Reeves.

#### BILL ORDERED NOT PRINTED.

On motion of Mr. Barrett, House bill No. 696 was ordered not printed.

Mr. Wessels moved that the call of the House be extended to 6 o'clock p. m. today, and the motion was lost.

## MESSAGE FROM THE GOVERNOR.

Mr. R. B. Walthall, Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Governor's Office,  
Austin, Texas, March 10, 1923.

To the Members of the House of Representatives of the Thirty-eighth Legislature.

Gentlemen: I am returning to you with my disapproval and veto, House bill No. 565, which has for its purpose the creation of a new and additional district court of Texas.

It is generally conceded by all who have made an investigation that at this time we have too many district courts. A considerable number of the district courts of Texas have but little work to do. We should be slow to add additional tax burdens by the creation of new courts as long as we have a number of courts that are not busy.

There are now pending in the Legislature, two court bills heretofore referred to in several veto messages, which, if enacted into law, will, in the opinion of unbiased judges of the court business of Texas, give the necessary relief to the crowded dockets of Texas.

I am therefore returning herewith to you with my veto and disapproval, House bill No. 565, which adds another district court to the long list of district courts which we now have in Texas.

Respectfully,  
(Signed) PAT M. NEFF,  
Governor.

CONSIDERATION OF VETO OF  
HOUSE BILL NO. 565.

Mr. Loftin called up for consideration at this time

H. B. No. 565, A bill to be entitled "An Act to reorganize the Thirtieth and Sixteenth Judicial Districts and to create the Ninety-second Judicial District of the State of Texas, and for the appointment of the district judge for said Ninety-second Judicial District; providing for holding the district courts and terms in said Thirtieth, Sixteenth and Ninety-second Judicial Districts, respectively; providing that all process and writs heretofore issued, and that all recognizances and bonds heretofore made and executed and returnable to existing terms of district courts in the counties composing said districts, to-

gether with jurors heretofore selected, are valid and returnable to the first term of such court after this act takes effect; providing that the county attorneys of the respective counties within said Ninety-second Judicial District shall perform the duties of district attorneys in their counties as well as the duties now performed by them, and providing fees of office for such county attorneys; providing for the transfer of cases from the Thirtieth Judicial District to the Ninety-second Judicial District, and from the Sixteenth Judicial District to the Ninety-second Judicial District; providing for the jurisdiction of said district courts, and providing for the continuation of the existing district courts in said counties in session when this act takes effect to the end of their terms; repealing all conflicting laws, and declaring an emergency."

Which bill was received from the Governor today with a message notifying the House of his disapproval of the same.

Mr. Baldwin moved a call of the House for the purpose of maintaining a quorum pending consideration of House bill No. 565, and the call was duly seconded and ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be allowed to leave the Hall without written permission from the Speaker.

The roll was called and a quorum was announced present.

Question—Shall House bill No. 565 be passed notwithstanding the objections of the Governor?

The Clerk was directed to call the roll and the bill was passed by the following vote:

Yeas—77.

Abney.	Carpenter
Amsler.	of Matagorda.
Arnold.	Chitwood.
Avis.	Collins.
Baker of Milam.	Davenport.
Baldwin.	Dielmann.
Barker.	Dinkle.
Barrett.	Dodd.
Beasley.	Duffey.
Bryant.	Edwards.
Burmeister.	Finlay.
Cable.	Fugler.
Carpenter	Gipson.
of Dallas.	Hardin of Erath.

Harris.	Pope.
Howeth.	Potter.
Hughes.	Price.
Irwin.	Purl.
Jacks.	Quaid.
Jennings.	Quinn.
Jones.	Robinson.
Kemble.	Rogers.
Lamb.	Rountree.
Lane.	Russell
LeSturgeon.	of Callahan.
Loftin.	Sackett.
McDaniel.	Sanford.
McDonald.	Satterwhite.
McNatt.	Shearer.
Martin.	Shires.
Mathes.	Smith.
Maxwell.	Sparkman.
Merritt.	Stewart of Reeves.
Montgomery.	Storey.
Morgan	Stroder.
of Liberty.	Sweet.
Morgan	Teer.
of Robertson.	Wallace.
Pate.	Wessels.
Patman.	Wilson.
Patterson.	Young.

Nays—23.

Atkinson.	Looney.
Blount.	McKean.
Carson.	Moore.
Davis.	Perdue.
Downs.	Pinkston.
Driggers.	Pool.
Faubion.	Stell.
Fields.	Stevens.
Hendricks.	Thrasher.
Hall.	Turner.
Lackey.	Westbrook.
LeMaster.	

Present—Not Voting.

Bell.	Rice.
Coffee.	Stewart.
Culp.	of Edwards.
DeBerry.	Winfree.
Dunlap.	

Absent.

Baker of Orange.	Henderson
Bird.	of McLennan.
Bobbitt.	Laird.
Bonham.	Lewis.
Carter of Hays.	McBride.
Covey.	McFarlane.
Cowen.	Melson.
Crawford.	Miller.
Dunn.	Russell of Trinity.
Durham.	Simpson.
Green.	Stewart of Jasper.
Greer.	Stiernberg.
Hardin	Vaughan.
of Kaufman.	Wells.
Henderson	
of Marion.	

Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmans.
Lusk.	

NOTICE GIVEN.

Mr. Rountree gave notice that he would on next Monday call up for consideration at that time House concurrent resolution No. 22, which resolution has heretofore been laid on the table subject to call.

## HOUSE BILL NO. 99 ON SECOND READING.

On motion of Mr. Maxwell, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 99, A bill to be entitled "An Act fixing the compensation of county commissioners in counties containing less than eighteen thousand inhabitants, and constituting a separate judicial district."

The Speaker laid the bill before the House and it was read second time and was passed to engrossment.

## HOUSE BILL NO. 99 ON THIRD READING.

Mr. Maxwell moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 99 be placed on its third reading and final passage,

The motion prevailed by the following vote:

Yeas—101.

Abney.	Chitwood.
Amsler.	Coffee.
Arnold.	Culp.
Baker of Milam.	DeBerry.
Baldwin.	Dielmann.
Barker.	Dinkle.
Barrett.	Dodd.
Beasley.	Downs.
Bell.	Duffey.
Bird.	Dunn.
Blount.	Edwards.
Bonham.	Faubion.
Bryant.	Fields.
Burmeister.	Finlay.
Cable.	Fugler.
Carpenter	Green.
of Dallas.	Hardin of Erath.
Carpenter	Hendricks.
of Matagorda.	Howeth.
Carson.	Hughes.



Hull.	Potter.
Irwin.	Price.
Jacks.	Purl.
Jennings.	Quaid.
Kemble.	Quinn.
Lackey.	Rice.
Laird.	Robinson.
Lamb.	Rogers.
Lane.	Rountree.
LeMaster.	Russell
LeStourgeon.	of Callahan.
McDaniel.	Sackett.
McDonald.	Sanford.
McFarlane.	Satterwhite.
McKean.	Shearer.
McNatt.	Shires.
Martin.	Simpson.
Mathes.	Sparkman.
Maxwell.	Stell.
Melson.	Stewart
Merritt.	of Edwards.
Montgomery.	Stewart of Jasper.
Moore.	Stewart of Reeves.
Morgan	Stroder.
of Liberty.	Sweet.
Morgan	Teer.
of Robertson.	Thrasher.
Pate.	Turner.
Patman.	Wells.
Patterson.	Wessels.
Perdue.	Wilson.
Pinkston.	Winfree.
Pope.	Young.

## Nays—3.

Atkinson.	Looney.
Davis.	

## Absent.

Avis.	Henderson
Baker of Orange.	of Marion.
Bobbitt.	Henderson
Carter of Hays.	of McLennan.
Collins.	Jones.
Covey.	Lewis.
Cowen.	Loftin.
Crawford.	McBride.
Davenport.	Miller.
Driggers.	Pool.
Dunlap.	Russell of Trinity.
Durham.	Smith.
Gipson.	Stevens.
Greer.	Stiernberg.
Hardin.	Storey.
of Kaufman.	Vaughan.
Harris.	Wallace.
	Westbrook.

## Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmons.
Lusk.	

The Speaker then laid House bill No. 99 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—101.

Mr. Speaker.	LeMaster.
Abney.	LeStourgeon.
Amaler.	McDaniel.
Arnold.	McDonald.
Atkinson.	McFarlane.
Avis.	McNatt.
Baker of Milam.	Martin.
Baldwin.	Mathes.
Barker.	Maxwell.
Barrett.	Melson.
Beasley.	Merritt.
Bell.	Montgomery.
Bird.	Moore.
Bryant.	Morgan
Burmeister.	of Liberty.
Cable.	Morgan
Carpenter	of Robertson.
of Dallas.	Pate.
Carpenter	Patman.
of Matagorda.	Patterson.
Carson.	Pinkston.
Chitwood.	Pool.
Coffee.	Pope.
Collins.	Potter.
Cowen.	Purl.
Culp.	Quaid.
Davenport.	Quinn.
DeBerry.	Rice.
Dielmann.	Robinson.
Dinkle.	Rogers.
Dodd.	Russell
Downs.	of Callahan.
Driggers.	Satterwhite.
Duffey.	Shearer.
Dunlap.	Shires.
Dunn.	Simpson.
Edwards.	Smith.
Faubion.	Sparkman.
Finlay.	Stell.
Fugler.	Stevens.
Greer.	Stewart
Hardin of Erath.	of Edwards.
Hendricks.	Stewart of Jasper.
Howeth.	Stewart of Reeves.
Hughes.	Storey.
Hull.	Teer.
Jacks.	Thrasher.
Jennings.	Turner.
Jones.	Wells.
Kemble.	Wessels.
Lackey.	Wilson.
Laird.	Winfree.
Lamb.	Young.
Lane.	

## Nays—5.

Bonham.	McKean.
Davis.	Sackett.
Looney.	

## Present—Not Voting.

Fields.

Price.

## Absent.

Baker of Orange.	Irwin.
Blount.	Lewis.
Bobbitt.	Loftin.
Carter of Hays.	McBride.
Covey.	Miller.
Crawford.	Perdue.
Durham.	Rountree.
Gipson.	Russell of Trinity.
Green.	Sanford.
Hardin	Stiernberg.
of Kaufman.	Stroder.
Harris.	Sweet.
Henderson	Vaughan.
of Marion.	Wallace.
Henderson	Westbrook.
of McLennan.	

## Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmans.
Lusk.	

HOUSE BILL NO. 124 ON THIRD  
READING.

(By unanimous consent.)

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 124, A bill to be entitled "An Act to amend Article 7305 of the Revised Civil Statutes of the State of Texas, 1911, as the same was amended by Chapter 21 of the Acts of the Regular Session of the Thirty-seventh Legislature, relating to the inspection of hides and animals, by adding to the exempt counties the county of Matagorda, and repealing all laws in conflict herewith."

The bill was read third time.

Mr. Sackett offered the following amendment to the bill:

Amend House bill No. 124, page 1, line 22, by adding after the word "Coke," "Coleman."

The amendment was adopted.

House bill No. 124 was then passed by the following vote:

## Yeas—101.

Abney.	Baldwin.
Amsler.	Barker.
Arnold.	Barrett.
Atkinson.	Beasley.
Avis.	Bell.
Baker of Milam.	Bird.

Bobbitt.
Bonham.
Bryant.
Burmeister.
Cable.
Carpenter
of Dallas.
Carpenter
of Matagorda.
Carson.
Chitwood.
Cowen.
Culp.
Davenport.
Davis.
DeBerry.
Dielmann.
Dinkle.
Dodd.
Downs.
Driggers.
Duffey.
Dunlap.
Dunn.
Edwards.
Faubion.
Fields.
Finlay.
Fugler.
Gipson.
Green.
Hardin of Erath.
Hendricks.
Howeth.
Hughes.
Hull.
Irwin.
Jennings.
Jones.
Kemble.
Lackey.
Laird.
Lamb.
Lane.
LeStourgeon.
McDaniel.
McDonald.
McKean.

McNatt.
Martin.
Maxwell.
Melson.
Merritt.
Montgomery.
Moore.
Morgan
of Liberty.
Morgan
of Robertson.
Pate.
Patman.
Patterson.
Perdue.
Pinkston.
Pool.
Pope.
Potter.
Price.
Purl.
Quaid.
Rice.
Robinson.
Rogers.
Russell
of Callahan.
Sackett.
Sanford.
Shearer.
Shires.
Simpson.
Smith.
Sparkman.
Stell.
Stevens.
Stewart
of Edwards.
Stewart of Jasper.
Stewart of Reeves.
Teer.
Turner.
Wallace.
Wells.
Wessels.
Winfree.
Young.

## Present—Not Voting.

Wilson.

## Absent.

Baker of Orange.	Henderson
Blount.	of McLennan.
Carter of Hays.	Jacks.
Coffee.	LeMaster.
Collins.	Lewis.
Covey.	Loftin.
Crawford.	Looney.
Durham.	McBride.
Greer.	McFarlane.
Hardin	Mathes.
of Kaufman.	Miller.
Harris.	Quinn.
Henderson	Rountree.
of Marion.	Russell of Trinity.

Satterwhite.  
Stiernberg.  
Storey.  
Stroder.

Sweet.  
Thrasher.  
Vaughan.  
Westbrook.

Absent—Excused.

Brady.  
Carter of Coke.  
Frnka.  
Harrington.  
Houston.  
Johnson.  
Lusk.

Merriman.  
Rowland.  
Strickland.  
Thompson.  
Williamson.  
Wilmans.

# HOUSE BILL NO. 684 ON SECOND READING.

(By unanimous consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 684, A bill to be entitled "An Act to create the County Court of Tarrant County for Civil Cases No. 2, and prescribing the jurisdiction thereof, giving said court concurrent jurisdiction with the County Court of Tarrant County for Civil Cases in all matters and causes over which the County Court of Tarrant County for Civil Cases has jurisdiction, fixing the salary of the judge of the County Court of Tarrant County for Civil Cases No. 2; providing for the appointment and election of the judge of said court hereby created and providing for the filling of vacancies in said office, providing for the transfer of causes from the docket of the County Court of Tarrant County for Civil Cases to the dockets of the court hereby created, by the county clerk of Tarrant county, and providing for the transfer of causes from the dockets of the County Court of Tarrant County for Civil Cases to the docket of the court hereby created by the judge of the County Court of Tarrant County for Civil Cases, at his discretion, and providing for the transfer of causes from the dockets of the court hereby created to the dockets of the County Court of Tarrant County for Civil Cases by the judge of the court hereby created, at his discretion, and providing for the appointment of an official shorthand reporter who shall be an officer of the court hereby created, and declaring an emergency."

The bill was read second time and was passed to engrossment.

# HOUSE BILL NO. 696 ON SECOND READING.

Mr. Pope moved that the constitutional rule requiring bills to be read on

three several days be suspended and that House bill No. 696 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102.

Mr. Speaker.	LeStourgeon.
Abney.	Loftin.
Amsler.	Looney.
Arnold.	McDaniel.
Atkinson.	McKean.
Avis.	McNatt.
Baker of Milam.	Martin.
Baldwin.	Melson.
Barrett.	Merritt.
Beasley.	Montgomery.
Bell.	Moore.
Bird.	Morgan
Blount.	of Liberty.
Bobbitt.	Morgan
Bonham.	of Robertson.
Bryant.	Pate.
Burmeister.	Patman.
Cable.	Patterson.
Carpenter	Pinkston.
of Dallas.	Pool.
Carpenter	Pope.
of Matagorda.	Potter.
Carson.	Price.
Chitwood.	Purl.
Coffee.	Quaid.
Collins.	Quinn.
Cowen.	Rice.
Culp.	Robinson.
Davenport.	Rogers.
DeBerry.	Rountree.
Dielmann.	Russell
Dinkle.	of Callahan.
Dodd.	Sanford.
Downs.	Satterwhite.
Driggers.	Shearer.
Duffey.	Shires.
Dunn.	Simpson.
Edwards.	Sparkman.
Faubion.	Stell.
Fields.	Stevens.
Fugler.	Stewart
Gipson.	of Edwards.
Green.	Stewart of Jasper.
Hardin of Erath.	Stewart of Reeves.
Hendricks.	Teer.
Howeth.	Thrasher.
Hughes.	Turner.
Jennings.	Wallace.
Jones.	Wells.
Lackey.	Westbrook.
Laird.	Wessels.
Lamb.	Wilson.
Lane.	Winfree.
LeMaster.	Young.

Nays—1.

Davis.

## Absent.

Baker of Orange.	Jacks.
Barker.	Kemble.
Carter of Hays.	Lewis.
Covey.	McBride.
Crawford.	McDonald.
Dunlap.	McFarlane.
Durham.	Mathes.
Finlay.	Maxwell.
Greer.	Miller.
Hardin	Perdue.
of Kaufman.	Russell of Trinity.
Harris.	Sackett.
Henderson	Smith.
of Marion.	Stiernberg.
Henderson	Storey.
of McLennan.	Stroder.
Hull.	Sweet.
Irwin.	Vaughan.

## Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmans.
Lusk.	

The Speaker then laid before the House, on its second reading and passage to engrossment,

House bill No. 696, Creating the Palo Alto Independent School District.

The bill was read second time and was passed to engrossment.

## HOUSE BILL NO. 696 ON THIRD READING.

The Speaker then laid House bill No. 696 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—103.

Mr. Speaker.	Cable.
Abney.	Carpenter
Amsler.	of Dallas.
Arnold.	Carpenter
Atkinson.	of Matagorda.
Avis.	Carson.
Baker of Milam.	Chitwood.
Baldwin.	Coffee.
Barker.	Collins.
Barrett.	Cowen.
Beasley.	Culp.
Bell.	Davenport.
Bird.	Davis.
Blount.	DeBerry.
Bobbitt.	Dinkle.
Bonham.	Dodd.
Bryant.	Driggers.
Burmeister.	Duffey.

Dunlap.	Pate.
Dunn.	Patman.
Edwards.	Patterson.
Faubion.	Perdue.
Fields.	Pinkston.
Finlay.	Pool.
Fugler.	Pope.
Gipson.	Potter.
Green.	Purl.
Hardin of Erath.	Quaid.
Harris.	Quinn.
Hendricks.	Rice.
Houston.	Robinson.
Howeth.	Rogers.
Hughes.	Russell
Irwin.	of Callahan.
Jennings.	Sackett.
Jones.	Sanford.
Lackey.	Satterwhite.
Laird.	Shires.
Lamb.	Simpson.
Lane.	Smith.
LeMaster.	Sparkman.
LeStourgeon.	Stell.
Looney.	Stevens.
McDaniel.	Stewart of Jasper.
McKean.	Stewart of Reeves.
McNatt.	Teer.
Martin.	Thrasher.
Maxwell.	Turner.
Melson.	Wallace.
Merritt.	Wells.
Montgomery.	Wessels.
Moore.	Wilson.
Morgan	Winfree.
of Liberty.	Young.
Morgan	
of Robertson.	

## Nays—1.

## Price.

## Absent.

Baker of Orange.	Loftin.
Carter of Hays.	McBride.
Covey.	McDonald.
Crawford.	McFarlane.
Dielmann.	Mathes.
Downs.	Miller.
Durham.	Rountree.
Greer.	Russell of Trinity.
Hardin	Shearer.
of Kaufman.	Stewart
Henderson	of Edwards.
of Marion.	Stiernberg.
Henderson	Storey.
of McLennan.	Stroder.
Hull.	Sweet.
Jacks.	Vaughan.
Kemble.	Westbrook.
Lewis.	

## Absent—Excused.

Brady.	Johnson.
Carter of Coke.	Lusk.
Frnka.	Merriman.
Harrington.	Rowland.

Strickland.  
Thompson.

Williamson.  
Wilmans.

SENATE BILL NO. 405 ON SECOND  
READING.

(By unanimous consent.)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 405, A bill to be entitled "An Act to create a more efficient road system for Colorado county, making the county commissioners of said county ex-officio road supervisors; prescribing their duties as such; providing for their compensation as such road supervisors; authorizing the commissioners court to employ a civil engineer to plan and superintend road and bridge construction and repair in said county and fixing the compensation for such engineer; providing for the laying off of road precincts; prescribing the duties and liabilities of all persons subject to road duty, and fixing penalties for violation or neglect of such duties so imposed; providing for exemptions; providing for the working of county convicts on the county roads of such county and authorizing the commissioners court to enact reasonable rules, regulations and punishments necessary for the government, control and discipline of said convicts, and for effectually securing and utilizing their labor; providing for the payment of costs due officers in misdemeanor convict cases; providing for a commutation of time of convicts as a reward for faithful service and good behavior; providing a reward not to exceed ten dollars to be offered for the arrest and conviction of escaped county convicts, and taxing such reward and all costs necessarily incurred in the recapture and conviction of such convicts against such convicts; making it a penal offense for any county convict to escape from any person having him in charge for the county; providing a penalty for such escape; providing for the trimming of hedges by the owners of lands adjoining public roads and providing a penalty for failure to trim such hedges; providing the amount of compensation in road time be allowed to road hands for teams, plows, scrapers and wagons; providing for the condemnation of land for public road purposes; providing for the working of delinquent poll tax payers on the public roads; providing for the appointment of road overseers and defining their powers and duties; providing com-

pensation and providing for penalties for persons failing to work the roads when warned, and for persons failing to do good work, or to work in the manner by the road supervisor or road overseer; providing for the summoning of persons and teams, plows, scrapers and wagons to work in connection with the county regularly organized road gang or to repair roads in the precinct; providing for the working of county convicts either upon the roads and bridges or the county farm or public ground or public building, or partly upon either, in the discretion of the commissioners court; and providing for making such laws cumulative to the general laws of the State of Texas, and in case of conflict the special law is to apply to Colorado county, Texas, and repealing all laws or parts of laws in conflict herewith, and all special road laws heretofore enacted for said county not otherwise heretofore repealed, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 405 ON THIRD  
READING.

Mr. Sackett moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 405 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Mr. Speaker.

Abney.  
Amsler.  
Arnold.  
Atkinson.  
Avis.  
Baker of Milam.  
Baldwin.  
Barrett.  
Beasley.  
Bell.  
Bird.  
Blount.  
Bonham.  
Bryant.  
Cable.  
Carpenter  
of Dallas.  
Carson.  
Chitwood.  
Coffee.  
Collins.  
Cowen.  
Culp.  
Davenport.  
Davis.

DeBerry.  
Dielmann.  
Dinkle.  
Dodd.  
Downs.  
Driggers.  
Duffey.  
Dunlap.  
Dunn.  
Edwards.  
Faubion.  
Fields.  
Finlay.  
Fugler.  
Gipson.  
Green.  
Hardin of Erath.  
Harris.  
Hendricks.  
Howeth.  
Hughes.  
Hull.  
Jennings.  
Lackey.  
Laird.  
Lamb.

Lane.	Rice.
LeSturgeon.	Robinson.
Loftin.	Rogers.
Looney.	Rountree.
McDaniel.	Sackett.
McDonald.	Sanford.
McFarlane.	Satterwhite.
McNatt.	Shearer.
Martin.	Shires.
Mathes.	Simpson.
Maxwell.	Sparkman.
Melson.	Stell.
Merritt.	Stewart
Montgomery.	of Edwards.
Moore.	Stewart of Jasper.
Morgan	Stewart of Reeves.
of Liberty.	Sweet.
Morgan	Teer.
of Robertson.	Thrasher.
Pate.	Turner.
Patman.	Wallace.
Patterson.	Wells.
Perdue.	Westbrook.
Pinkston.	Wessels.
Potter.	Wilson.
Price.	Winfree.
Purl.	Young.
Quinn.	

Nays—4.

Burmeister.	Pool.
LeMaster.	Quaid.

Present—Not Voting.

Stevens.

Absent.

Baker of Orange.	Jacks.
Barker.	Jones.
Bobbitt.	Kemble.
Carpenter	Lewis.
of Matagorda.	McBride.
Carter of Hays.	McKean.
Covey.	Miller.
Crawford.	Pope.
Durham.	Russell
Greer.	of Callahan.
Hardin.	Russell of Trinity.
of Kaufman.	Smith.
Henderson	Stiernberg.
of Marion.	Storey.
Henderson	Stroder.
of McLennan.	Vaughan.
Irwin.	

Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmans.
Lusk.	

The Speaker then laid Senate bill No. 405 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—109.

Mr. Speaker.	LeSturgeon.
Abney.	Loftin.
Amsler.	McDaniel.
Arnold.	McDonald.
Atkinson.	McFarlane.
Avis.	McKean.
Baker of Milam.	McNatt.
Baldwin.	Martin.
Barker.	Mathes.
Barrett.	Maxwell.
Beasley.	Melson.
Bell.	Merritt.
Bird.	Montgomery.
Bonham.	Moore.
Bryant.	Morgan
Burmeister.	of Liberty.
Cable.	Morgan
Carpenter	of Robertson.
of Dallas.	Pate.
Carpenter	Patman.
of Matagorda.	Patterson.
Carson.	Perdue.
Chitwood.	Pinkston.
Coffee.	Pool.
Cowen.	Pope.
Culp.	Potter.
Davenport.	Price.
Davis.	Purl.
DeBerry.	Quaid.
Dielmann.	Quinn.
Dinkle.	Rice.
Dodd.	Robinson.
Downs.	Rogers.
Driggers.	Rountree.
Duffey.	Sackett.
Dunlap.	Sanford.
Dunn.	Satterwhite.
Edwards.	Shearer.
Faubion.	Shires.
Fields.	Simpson.
Finlay.	Sparkman.
Fugler.	Stell.
Gipson.	Stewart
Green.	of Edwards.
Hardin of Erath.	Stewart of Jasper.
Harris.	Stewart of Reeves.
Hendricks.	Sweet.
Howeth.	Teer.
Hughes.	Thrasher.
Hull.	Turner.
Jennings.	Wallace.
Jones.	Wells.
Kemble.	Westbrook.
Lackey.	Wessels.
Laird.	Wilson.
Lamb.	Winfree.
Lane.	Young.
LeMaster.	

Nays—1.

Looney.

Present—Not Voting.

Stevens.

## Absent.

Baker of Orange.	Irwin.
Blount.	Jacks.
Bobbitt.	Lewis.
Carter of Hays.	McBride.
Collins.	Miller.
Covey.	Russell
Crawford.	of Callahan.
Durham.	Russell of Trinity.
Greer.	Smith.
Hardin.	Stiernberg.
of Kaufman.	Storey.
Henderson	Stroder.
of Marion.	Vaughan.
Henderson	
of McLennan.	

## Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmans.
Lusk.	

SENATE BILL NO. 430 ON SECOND  
READING.

(By unanimous consent.)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 430, A bill to be entitled "An Act authorizing the Fredericksburg Independent School District to sell and convey a certain tract of land situated in the town of Fredericksburg, in Gillespie county, Texas, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 430 ON THIRD  
READING.

Mr. Jones moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 430 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109.

Mr. Speaker.	Bird.
Abney.	Bonham.
Amsler.	Bryant.
Arnold.	Burmeister.
Atkinson.	Cable.
Avis.	Carpenter
Baker of Milam.	of Dallas.
Baldwin.	Carpenter
Barrett.	of Matagorda.
Beasley.	Carson.
Bell.	Chitwood.

Coffee.	Montgomery.
Collins.	Moore.
Cowen.	Morgan
Culp.	of Liberty.
Davenport.	Morgan
Davis.	of Robertson.
DeBerry.	Pate.
Dielmann.	Patman.
Dodd.	Patterson.
Downs.	Perdue.
Driggers.	Pinkston.
Duffey.	Pool.
Dunlap.	Pope.
Dunn.	Potter.
Edwards.	Price.
Faubion.	Purl.
Fields.	Quaid.
Finlay.	Quinn.
Gipson.	Rice.
Green.	Robinson.
Hardin of Erath.	Rogers.
Harris.	Rountree.
Hendricks.	Sackett.
Howeth.	Sanford.
Hughes.	Satterwhite.
Hull.	Shearer.
Irwin.	Shires.
Jennings.	Simpson.
Jones.	Sparkman.
Kemble.	Stell.
Lackey.	Stevens.
Laird.	Stewart
Lamb.	of Edwards.
Lane.	Stewart of Jasper.
LeMaster.	Stewart of Reeves.
LeSturgeon.	Sweet.
Loftin.	Teer.
McDaniel.	Thrasher.
McDonald.	Turner.
McFarlane.	Wallace.
McKean.	Wells.
McNatt.	Westbrook.
Martin.	Wessels.
Mathes.	Wilson .
Maxwell.	Winfree.
Merritt.	Young.

## Absent.

Baker of Orange.	Henderson
Barker.	of McLennan.
Blount.	Jacks.
Bobbitt.	Lewis.
Carter of Hays.	Looney.
Covey.	McBride.
Crawford.	Melson.
Dinkle.	Miller.
Durham.	Russell
Fugler.	of Callahan.
Greer.	Russell of Trinity.
Hardin	Smith.
of Kaufman.	Stiernberg.
Henderson	Storey.
of Marion.	Stroder.
	Vaughan.

## Absent—Excused.

Brady.	Carter of Coke.
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Frnka.	Rowland.
Harrington.	Strickland.
Houston.	Thompson.
Johnson.	Williamson.
Lusk.	Wilmans.
Merriman.	

The Speaker then laid Senate bill No. 430 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—104

Mr. Speaker.	Lamb.
Abney.	Lane.
Amsler.	LeMaster.
Arnold.	LeStourgeon.
Atkinson.	McDaniel.
Avis.	McDonald.
Baker of Milam.	McFarlane.
Baldwin.	McKean.
Barker.	McNatt.
Barrett.	Martin.
Beasley.	Maxwell.
Bell.	Melson.
Bird.	Merritt.
Bonham.	Montgomery.
Bryant.	Moore.
Burmeister.	Morgan
Cable.	of Liberty.
Carpenter	Morgan
of Dallas.	of Robertson.
Carpenter	Pate.
of Matagorda.	Patman.
Carson.	Patterson.
Chitwood.	Perdue.
Coffee.	Pinkston.
Cowen.	Pope.
Culp.	Potter.
Davenport.	Price.
DeBerry.	Purl.
Dielmann.	Quaid.
Dodd.	Quinn.
Downs.	Rice.
Driggers.	Robinson.
Duffey.	Rogers.
Dunlap.	Rountree.
Dunn.	Sackett.
Edwards.	Sanford.
Faubion.	Satterwhite.
Finlay.	Shearer.
Fugler.	Shires.
Gipson.	Simpson.
Green.	Sparkman.
Hardin of Erath.	Stell.
Harris.	Stevens.
Hendricks.	Stewart
Howeth.	of Edwards.
Hughes.	Stewart of Jasper.
Irwin.	Stewart of Reeves.
Jennings.	Sweet.
Jones.	Teer.
Kemble.	Thrasher.
Lackey.	Turner.
Laird.	Wallace.

Wells.	Wilson.
Westbrook.	Winfree.
Wessels.	Young.

Nays—2.

Davis.	Looney.
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Absent.

Baker of Orange.	Hull.
Blount.	Jacks.
Bobbitt.	Lewis.
Carter of Hays.	Loftin.
Collins.	McBride.
Covey.	Mathes.
Crawford.	Miller.
Dinkle.	Pool.
Durham.	Russell
Fields.	of Callahan.
Greer.	Russell of Trinity.
Hardin	Smith.
of Kaufman.	Stiernberg.
Henderson	Storey.
of Marion.	Stroder.
Henderson	Vaughan.
of McLennan.	

Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmans.
Lusk.	

#### SENATE BILL NO. 364 ON SECOND READING.

(By unanimous consent.)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 364, A bill to be entitled "An Act to repeal Chapter 74, Special Laws of the Thirty-second Legislature, as amended by Chapter 96, Special Laws of the Thirty-third Legislature, and as further amended by Chapter 89, Special Laws of the Thirty-fourth Legislature, relating to the road system of Leon county, and declaring an emergency."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 364 ON THIRD READING.

Mr. Robinson moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 364 be placed on its third reading and final passage.

The motion prevailed by the following vote:



## Yeas—101.

Mr. Speaker.	Laird.
Abney.	Lamb.
Amsler.	Lane.
Arnold.	LeSturgeon.
Atkinson.	McDaniel.
Avis.	McDonald.
Baker of Milam.	McFarlane.
Baldwin.	McKean.
Barker.	McNatt.
Barrett.	Martin.
Beasley.	Mathes.
Bell.	Maxwell.
Bird.	Merritt.
Bobbitt.	Montgomery.
Bonham.	Moore.
Bryant.	Morgan
Burmeister.	of Liberty.
Cable.	Pate.
Carpenter	Patterson.
of Dallas.	Perdue.
Carpenter	Pinkston.
of Matagorda.	Pope.
Carson.	Potter.
Chitwood.	Price.
Coffee.	Purl.
Cowen.	Quaid.
Culp.	Quinn.
Davenport.	Rice.
Davis.	Robinson.
DeBerry.	Rogers.
Dielmann.	Rountree.
Dodd.	Russell
Downs.	of Callahan.
Driggers.	Sanford.
Duffey.	Satterwhite.
Dunlap.	Shearer.
Dunn.	Simpson.
Edwards.	Sparkman.
Faubion.	Stell.
Fields.	Stevens.
Fugler.	Stewart
Gipson.	of Edwards.
Green.	Stewart of Jasper.
Hardin of Erath.	Stewart of Reeves.
Harris.	Teer.
Hendricks.	Thrasher.
Howeth.	Turner.
Hughes.	Wells.
Irwin.	Westbrook.
Jennings.	Wessels.
Jones.	Wilson.
Kemble.	Winfree.
Lackey.	Young.

## Nays—1.

Looney.

## Absent.

Baker of Orange.	Durham.
Blount.	Finlay.
Carter of Hays.	Greer.
Collins.	Hardin
Covey.	of Kaufman.
Crawford.	Henderson
Dinkle.	of Marion.

Henderson	Pool.
of McLennan.	Russell of Trinity.
Hull.	Sackett.
Jacks.	Shires.
LeMaster.	Smith.
Lewis.	Stiernberg.
Loftin.	Storey.
McBride.	Stroder.
Melson.	Sweet.
Miller.	Vaughan.
Morgan	Wallace.
of Robertson.	Wilmans.
Patman.	

## Absent—Excused.

Brady.	Lusk.
Carter of Coke.	Merriman.
Frnka.	Rowland.
Harrington.	Strickland.
Houston.	Thompson.
Johnson.	Williamson.

The Speaker then laid Senate bill No. 364 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—103.

Mr. Speaker.	Hardin of Erath.
Abney.	Harris.
Amsler.	Hendricks.
Arnold.	Howeth.
Atkinson.	Hughes.
Avis.	Hull.
Baker of Milam.	Irwin.
Baldwin.	Jennings.
Barker.	Jones.
Barrett.	Kemble.
Beasley.	Lackey.
Bird.	Laird.
Bobbitt.	Lamb.
Bonham.	Lane.
Bryant.	LeMaster.
Burmeister.	LeSturgeon.
Cable.	Loftin.
Carpenter	McDaniel.
of Matagorda.	McFarlane.
Carson.	McNatt.
Chitwood.	Martin.
Coffee.	Mathes.
Cowen.	Maxwell.
Davenport.	Melson.
Davis.	Merritt.
DeBerry.	Montgomery.
Dielmann.	Moore.
Dodd.	Morgan
Downs.	of Liberty.
Driggers.	Morgan
Duffey.	of Robertson.
Dunn.	Pate.
Edwards.	Patterson.
Faubion.	Perdue.
Fields.	Pinkston.
Finlay.	Pope.
Fugler.	Potter.
Gipson.	Price.

Purl.	Stell.
Quaid.	Stevens.
Quinn.	Stewart
Rice.	of Edwards.
Robinson.	Stewart of Jasper.
Rogers.	Stewart of Reeves.
Rountree.	Sweet.
Russell	Teer.
of Callahan.	Thrasher.
Sackett.	Turner.
Sanford.	Wells.
Satterwhite.	Westbrook.
Shearer.	Wessels.
Shires.	Winfree.
Simpson.	Young.
Smith.	
Sparkman.	

Nays—1.

Looney.

Absent.

Baker of Orange.	Henderson
Bell.	of McLennan.
Blount.	Jacks.
Carpenter	Lewis.
of Dallas.	McBride.
Carter of Hays.	McDonald.
Collins.	McKean.
Covey.	Miller.
Crawford.	Patman.
Culp.	Pool.
Dinkle.	Russell of Trinity.
Dunlap.	Stiernberg.
Durham.	Storey.
Green.	Stroder.
Greer.	Vaughan.
Hardin	Wallace.
of Kaufman.	Wilmans.
Henderson	
of Marion.	

Absent—Excused.

Brady.	Lusk.
Carter of Coke.	Merriman.
Frnka.	Rowland.
Harrington.	Strickland.
Houston.	Thompson.
Johnson.	Williamson.

#### MOTION TO TAKE UP SENATE BILL NO. 237.

Mr. Wessels moved that the regular order of business be suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 237, Relating to special road laws for Fayette county.

The motion was lost.

#### SENATE BILL NO. 213 ON SECOND READING.

On motion of Mr. Morgan of Robertson, the regular order of business was suspended to take up and have placed

on its second reading and passage to third reading,

S. B. No. 213, A bill to be entitled "An Act to provide for the organization or admission and regulation and taxation of incorporated mutual insurance companies, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

#### MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate bill No. 142, and it has also concurred in House amendments to Senate bill No. 160.

The Senate has adopted House concurrent resolution No. 31, Relating to a scientific survey of the Prison System of Texas.

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

#### RECESS.

Mr. Jones moved that the House recess to 7:30 o'clock p. m. today.

Mr. Moore moved that the House recess to 8 o'clock p. m. today.

The motion of Mr. Moore prevailed, and the House, accordingly, at 5:50 o'clock p. m., took recess to 8 o'clock p. m. today.

#### NIGHT SESSION.

The House met at 8 o'clock p. m. and was called to order by the Speaker.

#### CONFERENCE COMMITTEE ON SENATE BILL NO. 244.

Mr. Green called up from the Speaker's table, for consideration at this time, the request of the Senate for a free conference committee on Senate bill No. 244.

The Speaker laid the request of the Senate before the House.

Question — Shall the request be granted?

Mr. Green moved that the request be granted.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following conference committee on

the part of the House on Senate bill No. 244:

Messrs. Green, Martin, Simpson, Hardin of Erath and Storey.

#### SENATE BILL NO. 213 ON PASSAGE TO THIRD READING.

The House resumed consideration of pending business, same being Senate bill No. 213, relating to insurance companies, on its passage to third reading.

Mr. Baker of Milam offered the following (committee) amendment to the bill:

Amend Senate bill No. 213 by striking out Section 15 and inserting in lieu thereof the following:

"That nothing in this act shall be construed to mean that any company or association incorporated or organized hereunder shall be exempt from the provisions of the general laws of this State heretofore or hereafter enacted governing the incorporation, organization, regulation and operation of companies or organizations writing insurance in this State."

The amendment was adopted.

Mr. Baker of Milam offered the following amendment to the bill:

Amend Section 5, Senate bill No. 213, by striking out: "Such by-laws and any amendment thereto shall within thirty days after adoption be filed with said commissioner," and insert in lieu thereof the following: "The by-laws and any change or addition to the by-laws or any amendments thereto shall first be submitted to and be approved by the commissioner before such changes or amendments shall be adopted by any company."

The amendment was adopted.

Mr. Baker of Milam offered the following amendment to the bill:

Amend Senate bill No. 213 by inserting in line 11 of Section 8 as printed on page 1115 of the House Journal, after the word "shall" and before the word "be," the word "not."

The amendment was adopted.

Mr. Baker of Milam offered the following amendment to the bill:

Amend Senate bill No. 213, Section 18, by inserting in line 6 of the section as printed on page 1116 of the House Journal after the word "association" the words "including county and farmers' mutual associations."

The amendment was adopted.

Mr. Hardin of Kaufman offered the following amendment to the bill:

Amend Senate bill No. 213, Section 8, by adding after the word "elsewhere," the following: "except independent and common school districts."

Mr. Kemble moved to table the amendment.

The motion to table was lost.

Question recurring on the amendment, it was adopted.

Senate bill No. 213 was then passed to third reading.

Mr. Baker of Milam moved a call of the House for the purpose of maintaining a quorum pending consideration of Senate bill No. 213, and the call was duly seconded and ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be allowed to leave the Hall without written permission from the Speaker.

The roll was called and a quorum was announced present.

#### SENATE BILL NO. 213 ON PASSAGE TO THIRD READING.

Mr. Jones moved to reconsider the vote by which Senate bill No. 213 was passed to third reading.

The motion to reconsider prevailed.

Mr. Baker of Milam moved to reconsider the vote by which the amendment by Mr. Hardin of Kaufman was adopted.

Mr. Hardin of Kaufman moved to table the motion of Mr. Baker of Milam.

The motion to table was lost.

Question recurring on the motion to reconsider the vote by which the amendment was adopted, it prevailed.

Mr. Baker of Milam moved to table the amendment and the motion to table was lost.

Mr. Laird moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Hardin of Kaufman, it was lost.

Senate bill No. 213 was then passed to third reading.

#### SENATE BILL NO. 213 ON THIRD READING.

Mr. Kemble moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 213 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—89.

Mr. Speaker.	Lane.
Abney.	McBride.
Amsler.	McDaniel.
Arnold.	McFarlane.
Atkinson.	McKean.
Avis.	McNatt.
Baker of Milam.	Maxwell.
Baldwin.	Melson.
Barker.	Merritt.
Barrett.	Montgomery.
Beasley.	Moore.
Bird.	Morgan
Blount.	of Liberty.
Bryant.	Morgan
Burmeister.	of Robertson.
Cable.	Patman.
Carpenter	Patterson.
of Dallas.	Pope.
Carpenter	Potter.
of Matagorda.	Price.
Carson.	Purl.
Chitwood.	Quaid.
Coffee.	Rice.
Covey.	Rountree.
Cowen.	Russell
Crawford.	of Callahan.
DeBerry.	Sackett.
Dielmann.	Satterwhite.
Dinkle.	Shearer.
Dodd.	Shires.
Downs.	Smith.
Driggers.	Sparkman.
Duffey.	Stell.
Dunlap.	Stewart
Edwards.	of Edwards.
Faubion.	Stewart of Jasper.
Fugler.	Stewart of Reeves.
Gipson.	Stiernberg.
Hardin of Erath.	Storey.
Howeth.	Stroder.
Hughes.	Sweet.
Hull.	Teer.
Irwin.	Thrasher.
Jennings.	Turner.
Jones.	Wells.
Kemble.	Westbrook.
Lackey.	Wilson.
Lamb.	Young.

## Nays—7.

Culp.	Green.
Davis.	Hardin.
Dunn.	of Kaufman.
Finlay.	Laird.

## Present—Not Voting.

Bell.	Hendricks.
Bonham.	Martin.
Harris.	Simpson.

## Absent.

Baker of Orange.	Davenport.
Bobbitt.	Durham.
Carter of Hays.	Fields.
Collins.	Greer.

Henderson	Perdue.
of Marion.	Pinkston.
Henderson	Pool.
of McLennan.	Quinn.
Jacks.	Robinson.
LeMaster.	Rogers.
LeSturgeon.	Russell of Trinity.
Lewis.	Sanford.
Loftin.	Stevens.
Looney.	Vaughan.
McDonald.	Wallace.
Mathes.	Wessels.
Miller.	Winfree.
Pate.	

## Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmans.
Lusk.	

The Speaker then laid Senate bill No. 213 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—88.

Abney.	Hardin of Erath.
Amsler.	Howeth.
Arnold.	Hughes.
Atkinson.	Hull.
Avis.	Irwin.
Baker of Milam.	Jennings.
Baldwin.	Jones.
Barker.	Kemble.
Bell.	Lackey.
Bird.	Lamb.
Bonham.	Lane.
Bryant.	Loftin.
Burmeister.	McDaniel.
Cable.	McFarlane.
Carpenter	McKean.
of Dallas.	McNatt.
Carpenter	Martin.
of Matagorda.	Maxwell.
Carson.	Melson.
Coffee.	Merritt.
Covey.	Montgomery.
Cowen.	Moore.
Crawford.	Morgan
Culp.	of Liberty.
DeBerry.	Morgan
Dielmann.	of Robertson.
Dinkle.	Patman.
Dodd.	Patterson.
Downs.	Pope.
Driggers.	Potter.
Duffey.	Price.
Dunlap.	Purl.
Edwards.	Quaid.
Fugler.	Quinn.
Gipson.	Rice.
Green.	Rountree.

Russell	Stewart of Reeves.
of Callahan.	Stiernberg.
Sackett.	Storey.
Satterwhite.	Stroder.
Shires.	Sweet.
Simpson.	Thrasher.
Sparkman.	Turner.
Stell.	Wells.
Stewart	Westbrook.
of Edwards.	Wilson.
Stewart of Jasper.	Winfree.

## Nays—12.

Barrett.	Hardin
Beasley.	of Kaufman.
Chitwood.	Laird.
Davis.	Teer.
Dunn.	Wallace.
Faubion.	Young.
Finlay.	

Present—Not Voting.

Mr. Speaker. Harris.

Absent.

Baker of Orange.	Looney.
Blount.	McBride.
Bobbitt.	McDonald.
Carter of Hays.	Miller.
Collins.	Pate.
Davenport.	Perdue.
Durham.	Pinkston.
Fields.	Pool.
Greer.	Robinson.
Henderson	Rogers.
of Marion.	Russell of Trinity.
Henderson	Sanford.
of McLennan.	Shearer.
Jacks.	Smith.
LeMaster.	Stevens.
LeSturgeon.	Vaughan.
Lewis.	Wessels.

Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmons.
Lusk.	

Paired.

Mr. Hendricks (present), voted "yea," with Mr. Mathes (absent), who would vote "nay."

Mr. Baker of Milam moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

## BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice

thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 142, "An Act to amend Article 7137 of the Revised Statutes of Texas, relating to constables; providing for their election and terms of office and for the appointment of two deputies in justice precincts of eight thousand inhabitants or more, and for the appointment of five deputies in justice precincts where there is a city in said precinct of one hundred thousand inhabitants or more, and declaring an emergency."

S. B. No. 350, "An Act to amend Section 7 of Chapter 74, General Laws passed at the Second Called Session of the Thirty-sixth Legislature, providing for refund of taxes paid on marl, gravel, sand, shell or mud shell by any county, city or town; making an appropriation for said purpose out of the fish and oyster fund, and declaring an emergency."

S. B. No. 313, "An Act to amend Chapter 10 of Title 48 of the Revised Civil Statutes of 1911, relating to the powers and duties of the State Board of Education with reference to the purchase of bonds for the account of the State permanent school fund, by adding to said chapter immediately after Article 2740 a new article to be known as Article 2740a, and validating the purchase of bonds by the State Board of Education purchased on deferred payments of the purchase price as of the time of the respective payments on the purchase price of such bonds, and prescribing certain duties of the State Board of Education, the State Treasurer and the State Comptroller of Public Accounts with reference to allowing credits on certain interest coupons attached to said bonds by reason of deferred payments of the purchase price thereof, and limiting the validation of said purchase contract to all bonds purchased on deferred credit since January 1, 1921; providing for adjustment and return of moneys advanced by the State as compensation for accrued interest on said bonds prior to the date of said purchase, and declaring an emergency."

S. B. No. 160, "An Act providing for the execution of convicts condemned to death by electrocution; prescribing the procedure in such cases; providing the means for accomplishing the purposes of this act; repealing certain statutes, and all laws or parts of

laws in conflict herewith, and declaring an emergency."

S. B. No. 429, "An Act to amend an act passed by the Thirty-fourth Legislature of Texas at its Regular Session and approved February 18, 1915, which act was House bill No. 177, Chapter 17 of the said session of the said Legislature, amending Sections 26 and 53 of Article 30 of the Revised Civil Statutes of Texas, 1911, to reorganize the Twenty-sixth Judicial District of Texas; to abolish the criminal district court of Travis and Williamson counties; to create the Ninety-sixth Judicial District of Texas; to fix and define the jurisdiction of the Twenty-sixth, Fifty-third and Ninety-sixth Judicial Districts of Texas; to fix the time for holding of courts in each of the said judicial districts, to provide for the organization of grand juries in each of the courts held in the said judicial districts; to provide for a district attorney for the counties of Travis and Williamson, and fixing his compensation; to provide for the transfer of the causes pending on the docket of the said criminal district court in Williamson county to the Twenty-sixth Judicial District court, and for the transfer of all cases on the docket of the said criminal district court in Travis county to the Fifty-third and Ninety-sixth Judicial District courts; to provide for the election of a judge for the Ninety-sixth Judicial District court; to provide for the appointment of court reporters for the Twenty-sixth, Fifty-third and Ninety-sixth Judicial Districts; to conform and validate all writs, process, bonds, recognizances, judgments, orders of the said criminal district court, transferred hereunder, and the drawing of grand and petit juries in conformance with the changes herein made; to fix the time that this act shall take effect, and to repeal all laws and parts of laws in conflict herewith."

S. B. No. 405, "An Act to create a more efficient road system for Colorado county, making the county commissioners of said county ex-officio road supervisors; prescribing their duties as such; providing for their compensation as such road supervisors; authorizing the commissioners court to employ a civil engineer to plan and superintend road and bridge construction and repair in said county and fixing the compensation for such engineer; providing for the laying off of road precincts; prescribing the duties

and liabilities of all persons subject to road duty, and fixing penalties for violation or neglect of such duties so imposed; providing for exemption; providing for the working of county convicts on the county roads of said county and authorizing the commissioners court to enact reasonable rules, regulations and punishments necessary for the government, control and discipline of said convicts, and for effectually securing and utilizing their labor; providing for the payment of costs due officers in misdemeanor convict cases; providing for the commutation of time of convicts as a reward for faithful service and good behavior; providing a reward not to exceed ten dollars to be offered for the arrest and conviction of escaped convicts, and taxing such reward and all costs necessarily incurred in the recapture and conviction of such convicts against such convicts; making it a penal offense for any county convict to escape from any person having him in charge for the county; providing a penalty for such escape; providing for the trimming of hedges by the owners of lands adjoining public roads and providing a penalty for failure to trim such hedges; providing the amount of compensation in road time to be allowed to road hands for teams, plows, scrapers and wagons; providing for the condemnation of land for public road purposes; providing for the working of delinquent poll tax payers on the public roads; providing for the appointment of road overseers and defining their powers and duties; providing compensation and providing for penalties for persons failing to work the roads when warned, and for persons failing to do good work, or to work in the manner by the road supervisor or road overseer; providing for the summoning of persons and teams, plows, scrapers and wagons to work in connection with the county regularly organized road gang or to repair roads in the precinct; providing for the working of county convicts either upon the roads and bridges or the county farm or public ground or public building or partly upon either, in the discretion of the commissioners court; and providing for making such laws cumulative to the general laws of the State of Texas, and in case of conflict the special law is to apply to Colorado county, Texas, and repealing all laws or parts of laws in conflict herewith, and all special road laws heretofore enacted for said county,

not otherwise heretofore repealed, and declaring an emergency."

S. B. No. 364, Relating to the road system of Leon county.

S. B. No. 430, "An Act authorizing the Fredericksburg Independent School District to sell and convey a certain tract of land situated in the town of Fredericksburg, in Gillespie county, Texas, and declaring an emergency."

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 10, 1923.

Hon. E. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 90, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1892, and which have failed or are about to fail, to construct their roads and branches, or any part thereof, within the time required by law, and declaring an emergency."

And the Senate has adopted the Free Conference Committee report on Senate bill No. 40.

Respectfully,  
RICHARD BLALOCK,  
Assistant Secretary of the Senate.

Mr. Burmeister moved a call of the House for the purpose of maintaining a quorum until 10 o'clock p. m. today, and the call was duly seconded and ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The roll was called and a quorum was announced present.

On motion of Mr. Burmeister, the Sergeant-at-Arms was instructed to bring in all absentees within the Capitol building.

#### MOTION TO TAKE UP HOUSE BILL NO. 7.

Mr. Cable moved that the regular order of business be suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 7, A bill to be entitled "An Act abolishing the Markets and

Warehouse Department and the Weights and Measures Department, conferring all authority, powers, duties, functions, rights and liabilities of the Commissioner of Markets and Warehouses and of said Markets and Warehouse Department upon the Commissioner of Agriculture; abolishing the board, consisting of the Governor and Commissioner of Insurance and Banking, created by Chapter 5, General Laws of the Second Called Session of the Thirty-third Legislature, and vesting the powers and duties of said board in the Commissioner of Agriculture; conferring the powers and duties of the Commissioner of Insurance and Banking, relative to warehouses, upon the Commissioner of Agriculture, except such as are conferred by Chapter 3, General Laws, Second Called Session of the Thirty-third Legislature; conferring power and authority upon the Commissioner of Agriculture to administer provisions of Chapter 5, General Laws, Second Called Session of the Thirty-third Legislature, Chapter 41, General Laws, First Called Session of the Thirty-fifth Legislature, and Chapter 116 of the General Laws, Regular Session, Thirty-sixth Legislature, or so much of said statutes as are in force; transferring the appropriations of the Markets and Warehouse Department and the Weights and Measures Department to the Commissioner of Agriculture, and declaring an emergency."

Yeas and nays were demanded and the motion was lost by the following vote, not receiving the necessary two-thirds vote:

Yeas—59.

Mr. Speaker.	Downs.
Abney.	Driggers.
Amsler.	Duffey.
Arnold.	Dunlap.
Atkinson.	Dunn.
Avis.	Edwards.
Beasley.	Finlay.
Bell.	Harris.
Blount.	Howeth.
Bonham.	Jennings.
Bryant.	Laird.
Cable.	Lane.
Carpenter	Loftin.
of Matagorda.	McNatt.
Carson.	Melson.
Chitwood.	Montgomery.
Coffee.	Moore.
Cowen.	Morgan
Davis.	of Liberty.
Dinkle.	Morgan
Dodd.	of Robertson.

Patman.	Stewart of Jasper.
Patterson.	Storey.
Pope.	Stroder.
Potter.	Sweet.
Quinn.	Thrasher.
Rice.	Wallace.
Satterwhite.	Wells.
Simpson.	Wilson.
Stell.	Winfree.
Stewart	Young.
of Edwards.	

## Nays—40.

Baldwin.	Lackey.
Barker.	Lamb.
Barrett.	McDaniel.
Bird.	McFarlane.
Burmeister.	McKean.
Carpenter	Martin.
of Dallas.	Merritt.
Covey.	Price.
Culp.	Purl.
DeBerry.	Quaid.
Dielmann.	Rountree.
Faubion.	Russell
Fugler.	of Callahan.
Green.	Sackett.
Hardin of Erath.	Shearer.
Hardin	Shires.
of Kaufman.	Smith.
Hendricks.	Sparkman.
Hughes.	Stewart of Reeves.
Hull.	Stiernberg.
Irwin.	Turner.
Jones.	Westbrook.
Kemble.	

Present—Not Voting.

Crawford.

## Absent.

Baker of Milam.	Looney.
Baker of Orange.	McBride.
Bobbitt.	McDonald.
Carter of Hays.	Mathes.
Collins.	Maxwell.
Davenport.	Miller.
Durham.	Pate.
Fields.	Perdue.
Gipson.	Pinkston.
Greer.	Pool.
Henderson	Robinson.
of Marion.	Rogers.
Henderson	Russell of Trinity.
of McLennan.	Sanford.
Jacks.	Stevens.
LeMaster.	Teer.
LeSturgeon.	Vaughan.
Lewis.	Wessels.

## Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmans.
Lusk.	

## SENATE BILL NO. 357 ON SECOND READING.

On motion of Mr. Crawford, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 357, A bill to be entitled "An Act to release the property of the Timpson & Henderson Railway Company from the payment of taxes levied against it for State and county purposes, in the counties of Rusk, Panola and Shelby, for the years 1917 to 1922 by reason of public calamity, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time and was passed to third reading.

## SENATE BILL NO. 357 ON THIRD READING.

Mr. Crawford moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 357 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—97.

Mr. Speaker.	Dunn.
Abney.	Edwards.
Amsler.	Faubion.
Arnold.	Finlay.
Atkinson.	Fugler.
Avis.	Gipson.
Baker of Milam.	Green.
Baldwin.	Hardin of Erath.
Barker.	Harris.
Barrett.	Hendricks.
Beasley.	Hughes.
Bird.	Hull.
Blount.	Irwin.
Bonham.	Jennings.
Bryant.	Jones.
Burmeister.	Kemble.
Carpenter	Lackey.
of Dallas.	Laird.
Carpenter	Lamb.
of Matagorda.	Lane.
Carson.	Loftin.
Chitwood.	McDaniel.
Coffee.	McFarlane.
Covey.	McKean.
Cowen.	McNatt.
Crawford.	Martin.
Davis.	Maxwell.
DeBerry.	Melson.
Dielmann.	Montgomery.
Dinkle.	Moore.
Dodd.	Morgan
Downs.	of Liberty.
Driggers.	Morgan
Duffey.	of Robertson.
Dunlap.	Patman.



Patterson.	Stell.
Pope.	Stewart
Potter.	of Edwards.
Price.	Stewart of Jasper.
Purl.	Stewart of Reeves.
Quaid.	Stiernberg.
Quinn.	Storey.
Rountree.	Stroder.
Russell	Sweet.
of Callahan.	Teer.
Sackett.	Thrasher.
Satterwhite.	Turner.
Shearer.	Wallace.
Shires.	Westbrook.
Simpson.	Wilson.
Smith.	Winfree.
Sparkman.	

Nays—4.

Cable.	Merritt.
Howeth.	Young.

Present—Not Voting.

Wells.

Absent.

Baker of Orange.	Lewis.
Bell.	Looney.
Bobbitt.	McBride.
Carter of Hays.	McDonald.
Collins.	Mathes.
Culp.	Miller.
Davenport.	Pate.
Durham.	Perdue.
Fields.	Pinkston.
Greer.	Pool.
Hardin	Rice.
of Kaufman.	Robinson.
Henderson	Rogers.
of Marion.	Russell of Trinity.
Henderson	Sanford.
of McLennan.	Stevens.
Jacks.	Vaughan.
LeMaster.	Wessels.
LeStourgeon.	

Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmans.
Lusk.	

The Speaker then laid Senate bill No. 357 before the House on its third reading and final passage.

The bill was read third time and was passed.

#### SENATE BILL NO. 269 ON SECOND READING.

On motion of Mr. Arnold, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading,

S. B. No. 269, A bill to be entitled "An Act to amend Title 37 of the Revised Civil Statutes of the State of Texas, entitled 'Courts—District and County—Practice in,' by adding thereto Chapter 12a, relating to procedure in civil district courts in counties having two or more district courts with civil jurisdiction only and whose terms continue three months or longer."

The Speaker laid the bill before the House and it was read second time and was passed to third reading.

#### SENATE BILL NO. 269 ON THIRD READING.

Mr. Cowen moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 269 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.	Fugler.
Abney.	Gipson.
Amsler.	Green.
Arnold.	Hardin of Erath.
Atkinson.	Harris.
Avis.	Hendricks.
Baker of Milam.	Howeth.
Baldwin.	Hughes.
Barker.	Hull.
Barrett.	Irwin.
Beasley.	Jennings.
Bell.	Jones.
Bird.	Kemble.
Blount.	Lackey.
Bonham.	Laird.
Bryant.	Lamb.
Burmeister.	Lane.
Cable.	Loftin.
Carpenter	McDaniel.
of Dallas.	McFarlane.
Carpenter	McKean.
of Matagorda.	McNatt.
Carson.	Martin.
Chitwood.	Maxwell.
Coffee.	Merritt.
Covey.	Montgomery.
Cowen.	Moore.
Crawford.	Morgan
Culp.	of Liberty.
Davis.	Morgan
DeBerry.	of Robertson.
Dielmann.	Patman.
Dinkle.	Patterson.
Dodd.	Pope.
Downs.	Potter.
Driggers.	Price.
Duffey.	Purl.
Dunlap.	Quaid.
Dunn.	Quinn.
Edwards.	Rice.
Faubion.	Rountree.

Sackett.	Storey.
Satterwhite.	Stroder.
Shearer.	Teer.
Simpson.	Thrasher.
Smith.	Turner.
Sparkman.	Wallace.
Stell.	Wells.
Stewart	Westbrook.
of Edwards.	Wilson.
Stewart of Jasper.	Winfree.
Stewart of Reeves.	Young.
Stiernberg.	

Absent.

Baker of Orange.	McBride.
Bobbitt.	McDonald.
Carter of Hays.	Mathes.
Collins.	Melson.
Davenport.	Miller.
Durham.	Pate.
Fields.	Perdue.
Finlay.	Pinkston.
Greer.	Pool.
Hardin	Robinson.
of Kaufman.	Rogers.
Henderson	Russell
of Marion.	of Callahan.
Henderson	Russell of Trinity.
of McLennan.	Sanford.
Jacks.	Shires.
LeMaster.	Stevens.
LeStourgeon.	Sweet.
Lewis.	Vaughan.
Looney.	Wessels.

Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmans.
Lusk.	

The Speaker then laid Senate bill No. 269 before the House on its third reading and final passage.

The bill was read third time and was passed.

#### SENATE BILL NO. 270 ON SECOND READING.

On motion of Mr. Arnold, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading,

S. B. No. 270, A bill to be entitled "An Act to amend subdivisions 11, 55, 61 and 80 of Article 30 of Title 5 of the Revised Civil Statutes of the State of Texas, which subdivisions relate to the district courts of the Eleventh, Fifty-fifth, Sixty-first and Eightieth Judicial Districts of Texas, and fixing the terms and prescribing the jurisdiction and

procedure of said courts and allowing compensation to the clerk of the Eighth Judicial District Court in Harris county."

The Speaker laid the bill before the House and it was read second time and was passed to third reading.

#### SENATE BILL NO. 270 ON THIRD READING.

Mr. Cowen moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 270 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102.

Mr. Speaker.	Howeth.
Abney.	Hughes.
Amsler.	Hull.
Arnold.	Irwin.
Atkinson.	Jennings.
Baker of Milam.	Kemble.
Baldwin.	Lackey.
Barker.	Laird.
Barrett.	Lamb.
Beasley.	Lane.
Bell.	Loftin.
Bird.	McDaniel.
Blount.	McFarlane.
Bonham.	McKean.
Bryant.	McNatt.
Burmeister.	Maxwell.
Cable.	Melson.
Carpenter	Merritt.
of Dallas.	Montgomery.
Carpenter	Moore.
of Matagorda.	Morgan
Carson.	of Liberty.
Chitwood.	Morgan
Coffee.	of Robertson.
Covey.	Patman.
Cowen.	Patterson.
Crawford.	Pope.
Culp.	Potter.
Davis.	Price.
DeBerry.	Purl.
Dielmann.	Quaid.
Dinkle.	Quinn.
Dodd.	Rice.
Downs.	Rountree.
Driggers.	Russell
Duffey.	of Callahan.
Dunlap.	Sackett.
Dunn.	Satterwhite.
Edwards.	Shearer.
Faubion.	Shires.
Finlay.	Simpson.
Fugler.	Smith.
Gipson.	Sparkman.
Green.	Stell.
Hardin of Erath.	Stewart
Harris.	of Edwards.
Hendricks.	Stewart of Jasper.

Stewart of Reeves.	Turner.
Stiernberg.	Wallace.
Storey.	Wells.
Stroder.	Westbrook.
Sweet.	Wilson.
Teer.	Winfree.
Thrasher.	Young.

Absent.

Avis.	Lewis.
Baker of Orange.	Looney.
Bobbitt.	McBride.
Carter of Hays.	McDonald.
Collins.	Martin.
Davenport.	Mathes.
Durham.	Miller.
Fields.	Pate.
Greer.	Perdue.
Hardin	Pinkston.
of Kaufman.	Pool.
Henderson	Robinson.
of Marion.	Rogers.
Henderson	Russell of Trinity.
of McLennan.	Sanford.
Jacks.	Stevens.
Jones.	Vaughan.
LeMaster.	Wessels.
LeStourgeon.	

Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmans.
Lusk.	

The Speaker then laid Senate bill No. 270 before the House on its third reading and final passage.

The bill was read third time and was passed.

**BILL ORDERED NOT PRINTED.**

On motion of Mr. Cable, Senate bill No. 353 was ordered not printed.

**SENATE BILL NO. 291 ON SECOND READING.**

On motion of Mr. Davis, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 291, A bill to be entitled "An Act to amend Article 7381 of the Revised Civil Statutes, 1911, providing for the payment of a gross receipts tax by all persons, companies, corporations and associations of persons engaged in publishing, printing or selling text books in the schools of this State, or law books, or owning, controlling or managing any such business as text books or

law book purchasers, so as to exempt any corporation organized by the students and faculty of any State supported institution of learning without capital stock and which pays no dividends and is organized for the purpose of supplying books and other school supplies to the students of such institution and whose assets on the dissolution of the corporation passes to the governing board of the institution as a trust fund to be used for the benefit of the institution, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Culp offered the following amendments to the bill:

(1)

Amend Senate bill No. 291, page 2, line 15, after the word "report" insert the following: "provided that after September 1, 1929, no further tax shall be assessed under the provisions of this article, but all taxes accruing under the provisions hereof prior to said date shall nevertheless be paid."

(2)

Amend Senate bill No. 291, amend caption, page 1, line 25, after the word "State" insert the following: "provided that no tax shall be levied under the provisions of this article after September 1, 1929."

The amendments were severally adopted.

Mr. Culp offered the following (committee) amendment to the bill:

Strike out in Senate bill No. 291, on page 1, all that part of Section 1 through and including the word "accounts" in line 1, page 2, and insert in lieu thereof the following:

Section 1. That Article 7381 of the Revised Civil Statutes of 1911 be amended so as to hereafter read as follows:

"Article 7381. Each and every individual, company, corporation or association, whether incorporated under the laws of this State, or of any other State or nation, engaged in publishing, printing and selling such text books as are used, or will be used, in the schools of this State, or owning, controlling or managing any such business, within the State or out of it, and having State agencies within this State for the purpose of selling any such books to be used in any of the schools of this State, shall make quarterly, on the first days of January, April, July and October of

each year, a report to the Comptroller of Public Accounts."

The amendment was adopted.

Senate bill No. 291 was then passed to third reading.

#### SENATE BILL NO. 391 ON SECOND READING.

On motion of Mr. Wilson, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 391, A bill to be entitled "An Act to prohibit private corporations, persons, cities, towns or other public corporations from exercising the right of eminent domain over certain riparian and water rights and lands under or adjacent to any streams in this State, used for the purpose of developing water power; excepting from the provisions hereof cities and towns having a population of 25,000 or over; repealing all laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time and was passed to third reading.

#### SENATE BILL NO. 234 ON SECOND READING.

On motion of Mr. Lamb, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 234, A bill to be entitled "An Act to amend Article 3833 of Chapter 4 of the General Laws of the State of Texas as passed by the Thirty-sixth Legislature at its Third Called Session, 1920, entitled 'An Act to amend Article 3883 of Chapter 130 of the General Laws of the State of Texas passed by the Thirty-fifth Legislature at its Regular Session, regulating the fees allowed county officers in certain counties in this State, and declaring an emergency,' so as to add to and include in the counties of this State therein referred to counties in this State wherein the taxable values are not less than \$40,000,000 nor more than \$60,000,000, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Lamb offered the following amendment to the bill:

Amend Senate bill No. 234 by changing the figures "\$50,000,000" in line 26, to read "\$40,000,000."

Amend the caption to Senate bill No. 234 by inserting "\$40,000,000" where

the figures "\$50,000,000" now appears in line No. 15.

The amendments were severally adopted.

Senate bill No. 234 was then passed to third reading.

#### HOUSE BILL NO. 694 ON SECOND READING.

On motion of Mr. Bryant, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 694, A bill to be entitled "An Act authorizing the appointment of a person to represent the State of Texas in a conference with representatives of the United States and of the State of New Mexico, with a view to negotiating an agreement concerning the storage, division and use of the waters of the Pecos River in New Mexico and Texas; authorizing the gathering of data and information necessary thereto; prescribing the authority and duties of such representatives; prescribing the method of reaching such agreement and having the same agreed to and ratified by the State Legislature and approved by the Governor; making an appropriation to carry out the purposes of the act, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 694 ON THIRD READING.

Mr. Stewart of Reeves moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 694 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Mr. Speaker.	Carpenter
Abney.	of Dallas.
Amsler.	Carpenter
Arnold.	of Matagorda.
Avis.	Carson.
Baker of Milam.	Chitwood.
Baldwin.	Coffee.
Barker.	Covey.
Barrett.	Cowen.
Beasley.	Crawford.
Bell.	Culp.
Bird.	Davis.
Blount.	DeBerry.
Bonham.	Dielmann.
Bryant.	Dinkle.
Burmeister.	Dodd.
Cable.	Downs.

Driggers.	Morgan
Duffey.	of Robertson.
Dunlap.	Patman.
Dunn.	Patterson.
Edwards.	Potter.
Faubion.	Price.
Fields.	Purl.
Finlay.	Quaid.
Fugler.	Quinn.
Gipson.	Rice.
Green.	Rountree.
Hardin of Erath.	Russell
Harris.	of Callahan.
Hendricks.	Sackett.
Howeth.	Satterwhite.
Hughes.	Shearer.
Hull.	Shires.
Irwin.	Simpson.
Jennings.	Smith.
Jones.	Sparkman.
Kemble.	Stell.
Lackey.	Stewart
Lane.	of Edwards.
LeSturgeon.	Stewart of Jasper.
Loftin.	Stewart of Reeves.
McDaniel.	Stiernberg.
McFarlane.	Storey.
McKean.	Stroder.
McNatt.	Sweet.
Martin.	Teer.
Maxwell.	Thrasher.
Melson.	Turner.
Merritt.	Wallace.
Montgomery.	Wells.
Moore.	Westbrook.
Morgan	Wilson.
of Liberty.	Winfree.
	Young.

## Nays—4.

Atkinson.	Laird.
Hardin.	Pope.
of Kaufman.	

## Absent.

Baker of Orange.	McBride.
Bobbitt.	McDonald.
Carter of Hays.	Mathes.
Collins.	Miller.
Davenport.	Pate.
Durham.	Perdue.
Greer.	Pinkston.
Henderson	Pool.
of Marion.	Robinson.
Henderson	Rogers.
of McLennan.	Russell of Trinity.
Jacks.	Sanford.
Lamb.	Stevens.
LeMaster.	Thompson.
Lewis.	Vaughan.
Looney.	Wessels.

## Absent—Excused.

Brady.	Harrington.
Carter of Coke.	Houston.
Frnka.	Johnson.

Lusk.	Strickland.
Merriman.	Williamson.
Rowland.	Wilmans.

The Speaker then laid House bill No. 694 before the House on its third reading and final passage.

The bill was read third time.

Mr. Abney moved a call of the House for the purpose of maintaining a quorum until 12 o'clock midnight, and the motion was lost.

Mr. Bonham moved a call of the House for the purpose of maintaining a quorum until 11 o'clock p. m., and the call was duly seconded and ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The roll was called and a quorum was announced present.

On motion of Mr. Burmeister, the Sergeant-at-Arms was instructed to bring in all absentees within the city.

## HOUSE BILL NO. 694 ON ENGROSSMENT.

Mr. Pope moved to reconsider the vote by which House bill No. 694 was passed to engrossment.

The motion to reconsider prevailed.

Mr. Pope offered the following amendment to the bill:

Amend House bill No. 694 by striking out Section 4 and renumber succeeding sections.

Mr. Moore moved the previous question on the pending amendment and the bill, and the main question was ordered.

Mr. Burmeister moved a call of the House for the purpose of maintaining a quorum until 12 o'clock midnight, and the call was duly seconded and ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

Question recurring on the amendment by Mr. Pope, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—40.

Amsler.	Arnold.
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Atkinson.	Laird.
Avis.	Loftin.
Bonham.	McDaniel.
Cable.	McFarlane.
Crawford.	Mathes.
Davis.	Melson.
DeBerry.	Merritt.
Dinkle.	Patman.
Dodd.	Patterson.
Downs.	Pope.
Driggers.	Potter.
Duffey.	Rice.
Fields.	Sanford.
Finlay.	Satterwhite.
Green.	Stell.
Hardin	Stewart of Jasper.
of Kaufman.	Storey.
Henderson	Turner.
of McLennan.	Wallace.
Howeth.	Wilson.

## Nays—63.

Baker of Milam.	LeStourgeon.
Baldwin.	McNatt.
Barker.	Martin.
Beasley.	Maxwell.
Bell.	Montgomery.
Blount.	Moore.
Burmeister.	Morgan
Carpenter	of Liberty.
of Dallas.	Pool.
Carpenter	Purl.
of Matagorda.	Quaid.
Carson.	Quinn.
Chitwood.	Robinson.
Coffee.	Rogers.
Covey.	Rountree.
Cowen.	Russell
Culp.	of Callahan.
Dielmann.	Sackett.
Dunlap.	Shearer.
Dunn.	Shires.
Edwards.	Simpson.
Faubion.	Smith.
Fugler.	Sparkman.
Gipson.	Stewart
Harris.	of Edwards.
Hendricks.	Stewart of Reeves.
Hughes.	Stiernberg.
Hull.	Stroder.
Irwin.	Sweet.
Jennings.	Teer.
Jones.	Thrasher.
Kemble.	Wells.
Lackey.	Westbrook.
Lamb.	Young.
Lane.	

## Present--Not Voting.

Abney.	Bryant.
Bird.	

## Absent.

Baker of Orange.	Collins.
Barrett.	Davenport.
Bobbitt.	Durham.
Carter of Hays.	Greer.

Hardin of Erath.	Morgan
Henderson	of Robertson.
of Marion.	Pate.
Jacks.	Perdue.
LeMaster.	Pinkston.
Lewis.	Price.
Looney.	Russell of Trinity.
McBride.	Stevens.
McDonald.	Vaughan.
McKean.	Wessels.
Miller.	Winfree.

## Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmans.
Lusk.	

House bill No. 694 was then passed to engrossment by the following vote:

## Yeas—71.

Baker of Milam.	Lane.
Baldwin.	LeStourgeon.
Barker.	McNatt.
Beasley.	Martin.
Bell.	Mathes.
Blount.	Maxwell.
Bryant.	Montgomery.
Burmeister.	Moore.
Carpenter	Morgan
of Dallas.	of Liberty.
Carpenter	Patman.
of Matagorda.	Patterson.
Carson.	Pool.
Chitwood.	Price.
Coffee.	Purl.
Covey.	Quaid.
Culp.	Quinn.
Dielmann.	Rogers.
Downs.	Rountree.
Dunlap.	Russell
Dunn.	of Callahan.
Edwards.	Sackett.
Faubion.	Shires.
Fugler.	Simpson.
Gipson.	Smith.
Green.	Sparkman.
Harris.	Stell.
Henderson	Stewart
of McLennan.	of Edwards.
Hendricks.	Stewart of Reeves.
Hughes.	Stroder.
Hull.	Sweet.
Irwin.	Teer.
Jennings.	Thrasher.
Jones.	Turner.
Kemble.	Wells.
Lackey.	Westbrook.
Lamb.	Young.

## Nays—30.

Amsler.	Arnold.
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Atkinson.	Laird.
Avis.	Loftin.
Bonham.	McDaniel.
Cable.	McFarlane.
Davis.	Melson.
DeBerry.	Merritt.
Dinkle.	Pope.
Dodd.	Potter.
Driggers.	Rice.
Duffey.	Robinson.
Fields.	Sanford.
Finlay.	Stewart of Jasper.
Hardin	Storey.
of Kaufman.	Wilson.
Howeth.	

Present—Not Voting.

Abney.	Crawford.
Bird.	Stiernberg.

Absent.

Baker of Orange.	McDonald.
Barrett.	McKean.
Bobbitt.	Miller.
Carter of Hays.	Morgan
Collins.	of Robertson.
Cowen.	Pate.
Davenport.	Perdue.
Durham.	Pinkston.
Greer.	Russell of Trinity.
Hardin of Erath.	Satterwhite.
Henderson	Shearer.
of Marion.	Stevens.
Jacks.	Vaughan.
LeMaster.	Wallace.
Lewis.	Wessels.
Looney.	Winfree.
McBride.	

Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmans.
Lusk.	

Mr. Rountree moved to reconsider the vote by which the bill was passed to engrossment and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—71.

Baker of Milam.	Carpenter
Baldwin.	of Dallas.
Barker.	Carpenter
Beasley.	of Matagorda.
Bell.	Carson.
Blount.	Chitwood.
Bryant.	Coffee.
Burmeister.	Covey.

Culp.	Moore.
Dielmann.	Morgan
Downs.	of Liberty.
Dunlap.	Patman.
Dunn.	Pool.
Edwards.	Price.
Faubion.	Purl.
Finlay.	Quaid.
Fugler.	Quinn.
Gipson.	Robinson.
Green.	Rountree.
Harris.	Russell
Henderson	of Callahan.
of McLennan.	Sackett.
Hendricks.	Satterwhite.
Hughes.	Shearer.
Hull.	Shires.
Irwin.	Simpson.
Jennings.	Smith.
Jones.	Sparkman.
Kemble.	Stewart
Lackey.	of Edwards.
Lamb.	Stewart of Reeves.
Lane.	Stroder.
LeSturgeon.	Sweet.
McKean.	Thrasher.
McNatt.	Turner.
Martin.	Wells.
Mathes.	Westbrook.
Maxwell.	Young.
Montgomery.	

Nays—32.

Abney.	Howeth.
Amsler.	Laird.
Atkinson.	Loftin.
Avis.	McDaniel.
Bird.	McFarlane.
Bonham.	Melson.
Cable.	Merritt.
Crawford.	Pope.
Davis.	Potter.
DeBerry.	Rice.
Dinkle.	Sanford.
Dodd.	Stell.
Driggers.	Stewart of Jasper.
Duffey.	Storey.
Fields.	Wallace.
Hardin.	Wilson.
of Kaufman.	

Present—Not Voting.

Arnold.	Stiernberg.
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Absent.

Baker of Orange.	Jacks.
Barrett.	LeMaster.
Bobbitt.	Lewis.
Carter of Hays.	Looney.
Collins.	McBride.
Cowen.	McDonald.
Davenport.	Miller.
Durham.	Morgan
Greer.	of Robertson.
Hardin of Erath.	Pate.
Henderson	Patterson.
of Marion.	Perdue.

Pinkston.	Teer.
Rogers.	Vaughan.
Russell of Trinity.	Wessels.
Stevens.	Winfree.

Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmans.
Lusk.	

# MOTION TO TAKE UP HOUSE BILL NO. 694.

Mr. Stewart of Reeves moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 694 be placed on its third reading and final passage.

The motion was lost, not receiving the necessary four-fifths vote, by the following vote:

Yeas—67.

Abney.	Lamb.
Amsler.	Lane.
Baker of Milam.	LeStourgeon.
Baldwin.	McNatt.
Beasley.	Martin.
Bell.	Maxwell.
Blount.	Montgomery.
Bryant.	Moore.
Burmeister.	Morgan
Carpenter	of Liberty.
of Dallas.	Pool.
Carpenter	Price.
of Matagorda.	Purl.
Carson.	Quaid.
Chitwood.	Quinn.
Coffee.	Robinson.
Covey.	Rountree.
Crawford.	Russell
Culp.	of Callahan.
Dielmann.	Sackett.
Dunlap.	Satterwhite.
Dunn.	Shearer.
Edwards.	Shires.
Faubion.	Simpson.
Fugler.	Smith.
Gipson.	Sparkman.
Green.	Stewart
Harris.	of Edwards.
Hendricks.	Stewart of Reeves.
Hughes.	Stroder.
Hull.	Sweet.
Irwin.	Teer.
Jennings.	Thrasher.
Jones.	Turner.
Kemble.	Wells.
Lackey.	Young.

Nays—37.

Arnold.	Avis.
Atkinson.	Barker.

Bonham.	McDaniel.
Cable.	McFarlane.
Davis.	McKean.
DeBerry.	Mathes.
Dinkle.	Melson.
Dodd.	Merritt.
Downs.	Patterson.
Driggers.	Pope.
Duffey.	Rice.
Fields.	Rogers.
Finlay.	Sanford.
Hardin	Stell.
of Kaufman.	Stewart of Jasper.
Henderson	Storey.
of McLennan.	Wallace.
Howeth.	Westbrook.
Laird.	Wilson.
Loftin.	

Present—Not Voting.

Bird.	Stiernberg.
Patman.	

Absent.

Baker of Orange.	Looney.
Barrett.	McBride.
Bobbitt.	McDonald.
Carter of Hays.	Miller.
Collins.	Morgan
Cowen.	of Robertson.
Davenport.	Pate.
Durham.	Perdue.
Greer.	Pinkston.
Hardin of Erath.	Potter.
Henderson	Russell of Trinity.
of Marion.	Stevens.
Jacks.	Vaughan.
LeMaster.	Wessels.
Lewis.	Winfree.

Absent—Excused.

Brady.	Merriman.
Carter of Coke.	Rowland.
Frnka.	Strickland.
Harrington.	Thompson.
Houston.	Williamson.
Johnson.	Wilmans.
Lusk.	

# EMPLOYE OF THE HOUSE.

The Speaker announced the appointment of the following page to take the place of Walter Guist, discharged: Howard Jones.

# NOTICE GIVEN.

Mr. Carpenter of Dallas gave notice that he would on next Monday call up for consideration at that time Senate bill No. 21, which bill had heretofore been laid on the table subject to call.

# HOUSE BILL NO. 638 ON SECOND READING.

On motion of Mr. McDaniel, the regular order of business was suspended to



take up and have placed on its second reading and passage to third reading.

H. B. No. 638, A bill to be entitled "An Act to stop traffic in cigarettes; prohibiting the sale, manufacture, giving away, offering for sale or giving away, possession for the purpose of sale or giving away or making or manufacturing for sale cigarette wrappers or papers; prescribing penalties, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time and failed to pass to engrossment.

#### HOUSE BILL NO. 189 ON SECOND READING.

On motion of Mr. Sackett, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 189, A bill to be entitled "An Act to regulate the packing and the marking of packages and containers; requiring the net quantity of the contents of such packages or containers to be plainly and conspicuously marked on the outside of package or container; defining the term 'container'; giving authority to State Superintendent of Weights and Measures to supervise the enforcement of this act; providing for penalties for the enforcement of the act; repealing Section 8, Chapter 130, Acts of the Regular Session of the Thirty-sixth Legislature, and all laws in conflict, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Cowen offered the following amendment to the bill:

Amend House bill No. 189, line 24, by adding after the word "quantity" the words "of the contents when packed."

On motion of Mr. Culp, the amendment was tabled.

Mr. Rogers offered the following amendment to the bill:

Amend House bill No. 189, page 2, Section 9, line 24, after the word "association" insert the words "receiver, joint stock association."

Mr. Moore moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Rogers, it was adopted.

House bill No. 189 then failed to pass to engrossment.

Mr. Burmeister moved a call of the House for the purpose of maintaining a

quorum until 1 o'clock a. m. tonight, and the motion was lost.

Mr. Burmeister moved that the call of the House be extended to 12:30 o'clock a. m. tonight.

The motion prevailed.

#### HOUSE BILL NO. 435 ON SECOND READING.

On motion of Mr. DeBerry, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 435, A bill to be entitled "An Act regulating the lighting of all motor vehicles and horse drawn vehicles operating upon the highways in Texas; providing for the testing of such lighting devices and the approval of same by the State Highway Commission before being used on any motor vehicle operated within this State; giving the highway commission power to test and approve such lighting devices, and providing that they shall charge a fee sufficient to cover the actual expense for conducting such test; providing penalties for the violation of this act; repealing all laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. DeBerry offered the following (committee) amendment to the bill:

Amend House bill No. 435 by striking out all after the enacting clause and inserting the following:

Section 1. Every vehicle, including motor vehicles and horse-drawn vehicles, operated or driven on the public highways of this State one-half hour after sunset and one-half hour before sunrise, shall be provided with lighting facilities as hereinafter set out, to wit:

(a) Motor vehicles other than the specified classes hereinafter enumerated, two white or tinted other than red, of approximately equal candle power, mounted on opposite sides not higher than forty (40) inches from the street or highway upon which said vehicle rest and visible from the front, and one red light visible from the rear.

(b) Motorcycles, one white or tinted light other than red, visible from the front, and one red light visible from the rear.

(c) Trailers and vehicles towed, one red light visible from the rear.

(d) Side car, one white light visible from the front.

(e) Motor vehicles, when standing on the highways not sufficiently lighted

at least one white or tinted light other than red, visible from the front and red light visible from the rear and located on the left side of such vehicle.

(f) Horse-drawn vehicles, including buggies and farm wagons, one white light visible from both front and rear, or a white light visible from the front, and red light visible from the rear.

Sec. 2. The light above required shall in all instances be of sufficient strength as to be clearly visible at a distance of at least five hundred (500) feet from the direction in which they are required to be displayed.

Sec. 3. The red light visible from the rear shall be so placed that a white light therefrom shall illuminate the highway number upon such vehicle so that the same can be clearly visible at not less than twenty-five (25) feet from the rear thereof.

Sec. 4. No vehicle enumerated in Section 1 hereof shall at any time, whether in motion or at rest, have a lighting device upon such vehicle which will project a light, the direct center rays or beams from which, when measured on a level surface at a distance of seventy-five feet from said vehicle, will be higher than forty-two inches from the street or highway upon which said vehicle is resting.

Sec. 5. No motor vehicle of any kind shall at any time, whether in use or not in use, be equipped with any lamp without a glass front or with a plain glass front behind which there is an electric bulb or other lighting device of a greater capacity than thirty-two candle power, no matter how the same may be shaded, covered or obscured.

Sec. 6. It shall be unlawful for any person, firm, corporation or association to use, sell or have in possession for the purpose of sale, any lighting device for use upon motor vehicles described in this act, that does not conform to the requirements herein set forth and has not been approved or licensed by the State Highway Commission as herein provided.

Sec. 7. It shall be unlawful for any person, firm, corporation or association to use any vehicle described in this act upon any of the public highways of this State which is equipped with a lighting device that violates any of the provisions of this act.

Sec. 8. The State Highway Commission is expressly charged and empowered and it is made their special duty to enforce the provisions of this act. Said

commission shall provide rules and regulations for suitable tests and inspections of lamps and lighting devices for use upon the highways of Texas, and shall see that all of the same are in compliance with the provisions of this act.

Sec. 9. Said commission shall prescribe such rules and fees as necessary to carry into effect this provision with reference to inspection and licensing of said lighting devices. The fees charged, however, shall not be in excess of the sum of fifty (\$50) dollars for any one test or inspection.

Sec. 10. That if any section, subdivision, sentence or clause of this act shall for any reason be held unconstitutional or void such decision shall not affect the validity or meaning of any other portion of this act.

Sec. 11. If any person violates any of the provisions of this act, upon conviction he shall be fined not less than five (\$5) dollars nor more than twenty-five (\$25) dollars for the first offense, and not less than twenty-five (\$25) dollars nor more than two hundred (\$200) dollars for a second or subsequent offense.

Sec. 12. All laws or parts of laws in conflict herewith are expressly repealed.

Sec. 13. The fact that the present law regulating the lighting of motor vehicles in this State has been declared unconstitutional and unenforceable by the Supreme Court of this State and the fact that many vehicles in this State are being operated with improper lighting devices, making them a menace to human life, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and said rule is suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Pope offered the following amendments to the (committee) amendment:

Amend (committee) amendment to House bill No. 435 by striking out subdivision (f), Section 1.

Amend (committee) amendment to House bill No. 435 by striking out the following words in lines 14 and 15, page 4, to wit: "and horse-drawn vehicle."

Amend amendment to House bill No. 435 by striking out the words "and has" at the end of line 20 and by striking out all of lines 21 and 22, page 5.

Amend amendment to House bill No.

435 by striking out subdivision (e), Section 1.

Mr. Moore moved the previous question on the pending amendment and the bill, and the motion was not seconded.

Mr. Moore moved the previous question on the pending amendment and the bill, and the main question was ordered.

Mr. Purl moved to extend the call of the House until 4 o'clock tonight.

The motion was lost.

Mr. Abney moved to extend the call of the House to 1 o'clock a. m. tonight.

The motion was lost.

Question then recurring on the amendments by Mr. Pope, they were severally adopted.

Question then recurring on the (committee) amendment as amended, it was adopted.

House bill No. 435 was then passed to engrossment.

Mr. Burmeister moved that the call of the House be extended until 1:30 o'clock a. m. tonight.

The motion was lost.

Mr. Bonham moved that the call of the House be extended until 12:45 o'clock a. m. tonight.

The motion was lost.

#### NOTICE GIVEN.

Mr. Shires gave notice that he would tomorrow call up for consideration at that time Senate bill No. 169, which bill has heretofore been laid on the table subject to call.

#### RECESS.

On motion of Mr. Quaid, the House at 1:35 o'clock a. m. took recess to 10 o'clock a. m. Sunday, March 11, 1923.

#### APPENDIX.

##### STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills as follows:

Judiciary—Senate bills No. 369, 424.

Public Lands and Buildings—Senate bills Nos. 239, 297.

Criminal Jurisprudence—Senate bill No. 82.

Judicial Districts—Senate bill No. 429.

School Districts—Senate bill No. 430, House bill No. 696.

State Affairs—Senate bills Nos. 175, 75.

Appropriations—House bills Nos. 394, 692.

The following committees filed unfavorable reports on bills as follows:

Appropriations—House bills Nos. 277, 388, 201.

State Affairs—Senate bill No. 20.

##### REPORTS OF COMMITTEE ON EN-GROSSED BILLS.

Committee Room,

Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 645, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State and authorizing payment of said miscellaneous items on the taking effect of this act, and declaring an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,

Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 653, A bill to be entitled "An Act making an appropriation for the purchase of an electric voting machine now installed in the House of Representatives, and declaring an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,

Austin, Texas March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 688, A bill to be entitled "An Act to create a more efficient road system for Mills county, Texas, and making the commissioners of said county ex-officio road commissioners in their respective precincts, and providing for the appointment of deputies; defining the powers and duties of the commissioners court with reference to roads and bridges; providing for the appointment of road overseers, and defining their duties, and providing for and fixing their compensation for certain labor; providing penalties for the violation of this act; giving persons subject to road duty in Mills county and per-

sons summoned to work on the public roads of said county the right to be relieved from the discharge of such duty upon the payment of such sum as may be fixed by the commissioners court not later than the October term of said court in each year by an order spread on the minutes of said court, and providing for the accounting for and the disposition to be made of the money so paid; providing that delinquent poll tax payers shall be subject to three days' road duty; providing for compensation of road commissioners; providing for the amount of compensation in road time to be allowed by overseers to road hands for teams and road work; providing ordering an election to be held in Mills county by the qualified property tax paying voters to determine whether or not an additional ad valorem tax for road and bridge purposes shall be levied and collected in said county; also giving the commissioners court power to issue warrants in an emergency not to exceed fifteen hundred (\$1500) dollars against road and bridge fund in said county; giving the commissioners court the power to establish, change, improve or discontinue public roads with or without petition and notice, as the circumstances may be; and providing that this act shall control Mills county in all cases wherein it differs or is in conflict with the general laws on the subject of roads and making this accumulative, and declaring an emergency."

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,

Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 681, A bill to be entitled "An Act to authorize the St. Louis, San Francisco & Texas Railway Company to purchase, own and operate as a part of its line the railroad of International & Great Northern Railway Company, the railroad of Fort Worth & Rio Grande Railroad Company, the railroad of Paris & Great Northern Railroad Company, the railroad of the Brownwood, North & South Railway Company, the railroad of Quanah, Acme & Pacific Railway Company, or any one or more of said railroads, together with the franchises, properties, rights and privileges of said companies or any of them, and authorizing the said companies and each or any

of them to sell and convey all of its or their said railroads, constructed or to be constructed, and all other properties, rights, franchises and privileges to said St. Louis, San Francisco & Texas Railway Company, and authorizing said St. Louis, San Francisco & Texas Railway Company, in connection with the purchase of said properties or any of them, and for the payment in whole or in part of any or all bonds secured by mortgage or mortgages upon the properties so purchased, and or to issue its stocks or bonds in respect of the properties so purchased, and authorizing said St. Louis, San Francisco & Texas Railway Company to construct, own and operate as a part or parts of its line the unfinished portion or portions of said railroads, or any of them between the termini as defined in their respective charters, and to construct, own and operate as a part or parts of its line all extensions and branches of said railroads, or any of them, under or as authorized in and by the charter of said St. Louis, San Francisco & Texas Railway Company, or any amendment thereof, made or to be made in pursuance of the general laws of the State of Texas, and declaring an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,

Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 626, A bill to be entitled "An Act declaring it to be unlawful to kill or trap doves and quail in Young county, in this State, for a period of five years, and inhibiting the taking or killing of wild fox in said counties for a period of five years, except by dogs; prescribing penalties for the violation of this act, and declaring an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,

Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 493, A bill to be entitled "An Act extending for a period of three years from the passage of this act all

permits to prospect for oil and gas heretofore issued on river beds and channels, fresh water lakes, bays, marshes, reefs, salt water lakes and submerged lands and islands therein, and on university lands, asylum lands and public school lands, surveyed, which are unsold at the time this act goes into effect; that all permits hereafter issued on such lands shall be for a period of three years; providing the conditions of such permits, and further providing that all permits on lands under the control of any Federal receiver appointed by the Supreme Court of the United States shall be extended for a period of at least three years after the termination of such receivership."

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,

Austin, Texas, March 9, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 511, A bill to be entitled "An Act to make certain emergency and supplemental appropriations out of the general revenues for the several institutions and departments of the State government for the fiscal year ending August 31, 1923, and declaring an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

#### REPORT OF THE PENITENTIARY RE-LOCATING AND INVESTI- GATING COMMITTEE.

On motion of Mr. Teer, the following report was ordered printed in the Journal:

Committee Room,

Austin, Texas, March 8, 1923.

Hon. T. W. Davidson, President of the Senate; Hon. R. E. Seagler, Speaker of the House of Representatives.

Gentlemen: We, your committee appointed under the authority of House concurrent resolution No. 8, beg to report that after the appointment of the respective committees of the House and Senate, and the three citizens who were appointed, the committee met and organized by the election of Hon. Claude D. Teer as chairman, Senator H. L. Lewis as vice chairman, and Hon. Lee Satterwhite as secretary of the joint committee.

In the Governor's message of January

23 he recommends the removal of the prison from Huntsville and the centralization of the system on the Fort Bend or Brazoria county farms, and the above mentioned resolution authorized your committee to make an inspection of the Huntsville prison and the prison farms in Fort Bend and Brazoria county, and inspect them with the view of the desirability of centralizing the system on these farms or any other site as in the wisdom of the committee they might deem proper.

The committee visited the Imperial, Harlem, Ramsey, Darrington, Retrieve, and Clements farms, located in Fort Bend and Brazoria counties. The committee also visited the central penitentiary plant at Huntsville, and the Goree farm, situated four miles from Huntsville. A sub-committee visited the Blue Ridge farm, situated in Fort Bend and Harris counties.

The purpose of these visits being to determine whether or not the prison system should be centralized at Huntsville or somewhere on the 53,000 acres of land located in Fort Bend and Brazoria counties, and if the committee thought either of these locations unsuitable for the establishment of the system, then for the removal of the system to some point within seventy-five miles of Austin, as was provided for by an act of the Thirty-seventh Legislature creating a re-locating board for that purpose, and to make the biennial visitation to the penitentiary system looking into the affairs of the system, the treatment and condition of the prisoners.

The committee found sanitary conditions, in the way of beds, rooms and dining rooms, good. The food served was wholesome and well prepared. The men all seemed to be supplied with sufficient clothing and shoes to be comfortable. The educational and religious training of the men was satisfactory. The morale of the prisoners was all that could be expected, with the exception of the discontent over the indeterminate sentence law, which was in evidence among both white and colored.

The committee desires to commend the Governor, the Board of Prison Commissioners, the Supervisory Board, the farm managers and guards for the management of the system and treatment of the prisoners, considering the facilities with which they had to work. We also commend the various women's organizations of Texas in replacing the library which was destroyed by fire.

After a thorough inspection and investigation we found that most of the farm lands were subject to overflow, and that the buildings thereon were old and antiquated.

After returning to Austin, four questions were propounded to each member of the committee, which questions were numbered and answered by the members of this committee as follows:

Question 1.—Shall we recommend that the penitentiary system be centralized?

Mrs. W. C. Martin—Yes.

Lee Simmons—Yes.

Claude D. Teer—Yes.

O. L. Pate—Yes.

Lee Satterwhite—Yes.

B. W. Patterson—Yes.

Sam C. Lackey—Yes.

A. E. Wood—Yes.

T. H. Ridgeway—Yes.

I. D. Fairchild—Yes.

H. L. Lewis—No.

R. E. Seagler—Yes.

W. H. Bledsoe—Yes.

Question 2.—Shall we recommend that the central system be retained at Huntsville?

Mrs. W. C. Martin—No.

Lee Simmons—No.

Claude Teer—No.

O. L. Pate—No.

Lee Satterwhite—No.

B. W. Patterson—No.

Sam C. Lackey—No.

A. E. Wood—No.

T. H. Ridgeway—No.

I. D. Fairchild—No.

R. E. Seagler—No.

W. H. Bledsoe—No.

Question 3.—Would you centralize the system on the Fort Bend county farms?

Mrs. W. C. Martin—No.

Lee Simmons—No.

Claude D. Teer—No.

C. L. Pate—No.

Lee Satterwhite—Am not inclined.

B. W. Patterson—No.

Sam C. Lackey—No.

A. E. Wood—No.

T. H. Ridgeway—No.

I. D. Fairchild—Yes.

R. E. Seagler—No.

W. H. Bledsoe—No.

Question 4. Shall we centralize the system in Central Texas?

Mrs. W. C. Martin—Yes.

Lee Simmons—Yes.

Claude D. Teer—Yes.

C. L. Pate—Yes.

Lee Satterwhite—Not necessarily.

B. W. Patterson—No, but within 100 miles of Austin.

Sam C. Lackey—Yes.

A. E. Wood—Yes.

T. H. Ridgeway—Within 75 miles of Austin.

I. D. Fairchild—No.

R. E. Seagler—Yes.

W. H. Bledsoe—Yes.

The Governor in his message to this Legislature on January 23 recommended that the prison system be centralized in Fort Bend or Brazoria counties. He recommended the sale of the farms belonging to the system, except those farms located in Fort Bend and Brazoria counties. We are in accord with the Governor on the idea of a centralized prison plant, but we do not agree with him that this plant should be located in either Fort Bend or Brazoria county. There are nine major reasons why we oppose centralizing the system in either Fort Bend or Brazoria counties. These reasons are stated as follows:

(1) Excessive rainfall.

(2) Boll weevil pest.

(3) Tropical storms.

(4) A large part of land is subject to overflow, being located on the Brazos river bottom.

(5) Inaccessible, and on the border of the State near the Gulf of Mexico.

(6) Uncertainty of successfully leveeing against overflows; the cost of leveeing and the additional hazards not being cared for by leveeing.

(7) That the chance of making a crop, by reasons of many hazards, is reduced to a minimum.

(8) Economically unsound to establish a penitentiary system for all time to come in a place where the hazards are so great and so many.

During the years 1911-12-13-14-15-19-20-21-22 the penitentiary system lost money in its operations. During the years 1916-17-18 the system made money. If a private individual engaged in a certain kind of business at a certain place for thirteen years and if ten of the thirteen were unprofitable he would change his business or place of operation. During all of the years in which the system has lost money the cause is directly traceable to excessive rainfall, tropical storms, overflows or to boll weevil pest. The only three years in which the system has made money during the past thirteen years we find that the rainfall in Fort Bend and Brazoria counties was well below the average—in fact, it was exceedingly dry in those two counties as well as throughout the State. It was

the kind of a year that is necessary to make cotton in the lower Brazos river bottom and it is only during this kind of a year that farming is profitable in that section of the State. These dry years are too far apart for us to take a chance in establishing the penitentiary system there permanently.

We recommend that the penitentiary system should be centralized and established within seventy-five miles of the city of Austin as was provided by law at the First Called Session of the Thirty-seventh Legislature and that it should be located upon high, dry and fertile land, and upon the main line of a railroad.

We recommend that all the lands belonging to the penitentiary system at this time be sold by the State. The details of the selling of this land, and especially which of the land shall be sold first and how soon all of it should be disposed of are matters of detail which should be carefully worked out.

The prison system is one that manifestly cannot be settled in a short time. To accomplish something really constructive we feel that the activities of this committee should be renewed immediately after the adjournment of the Legislature, and with the help of the various departments of the State and experts and experienced men in varied lines of industry, that a complete prison program should be worked out for the called session of the Legislature, or the next regular session as the case may be, and that all necessary bills and recommendations to put the policy in effect should be drawn and prepared. Until this is done, and until the future policy of the prison system of Texas has been definitely outlined, no locating committee can be properly informed with reference to the location of a prison site. The committee to determine the activities to be engaged in before a site for the relocation is selected.

During our visit to the farms and to the penitentiary we were the recipients of many courtesies at the hands of Colonel Eldridge at Sugarland, Mr. Mimms of the Freeport Sulphur Company, the good citizens of Angleton, Freeport and Huntsville, as well as Captain Herring, Mr. Sayles and Mr. Dean of the State Penitentiary Commission.

To each and to all of them we desire to express our appreciation for their courtesies, and but for their kindly assistance it would have been impossible for us to have visited all of the places as we did during the time at our dis-

posal with that degree of comfort and convenience that we had.

Colonel Eldridge, the people of Freeport and Angleton kindly furnished us a special train that enabled us to visit the farms above named at a time when the roads were impassable, and but for the use of this train we would not have been able to have seen the properties as we did.

Mr. Mimms saw that every arrangement for our comfort and convenience was made in advance, and that no delays were occasioned to us. He was at all times courteous and attentive to every want and is entitled to this expression of appreciation from us.

The citizens of Angleton and Freeport extended courtesies to us that will always be remembered and that are appreciated by each member of our committee. The hearty reception that we received at the hands of the citizens of Huntsville made our visit there more enjoyable, and their co-operation, together with that of the penitentiary commissioners, have demonstrated themselves to be men of large affairs, capable and conscientious in the discharge of their official duties, and the number of reforms that have been inaugurated and successfully carried into effect by them tends to make the life of the convicts more bearable. They extended every courtesy to the members of your committee and rendered to us every assistance in seeing the properties and the affairs of the prison system as they are.

The committee would also thank the press and their representatives, Mr. George Armistead of the San Antonio Express, J. A. Wall of the Galveston News, Mr. Gillespie of the Houston Chronicle, for the courtesies shown the committee.

Respectfully submitted,

H. E. WOOD,

W. H. BLEDSOE,

T. H. RIDGEWAY,

On the part of the Senate.

CLAUDE D. TEER,

B. W. PATTERSON,

SAM C. LACKEY,

O. L. PATE,

LEE SATTERWHITE,

On the part of the House.

E. B. BLALOCK,

MRS. W. C. MARTIN,

LEE SIMMONS,

Citizen members.

T. W. DAVIDSON,

President of the Senate.

R. E. SEAGLER,

Speaker of the House.

## Minority Report.

Austin, Texas, March 10, 1923.

Hon. T. W. Davidson, President of the Senate; Hon. R. E. Seagler, Speaker of the House of Representatives.

Gentlemen: We, a minority of your committee appointed under the authority of House concurrent resolution No. 8, beg to report that we concur in the findings of the majority of said committee to the effect that the sanitary conditions in respect to sleeping apartments and living rooms are good, that the food being served is wholesome and well prepared, that the men seem to be supplied with sufficient clothing and shoes to be comfortable, that the educational and religious training of the men is satisfactory, and that the morals of the prisoners is all that could be expected with the exception of the discontent over what is commonly known as the Indeterminate Sentence Law.

We also join heartily in the commendation of the Governor, the supervisory board, the Board of Prison Commissioners and the farm managers and guards for the management of the system and the treatment of prisoners for the past two years considering the facilities with which they had to work. We also join the majority of said committee in expressing our appreciation of the many courtesies extended to us, as in report narrated.

To our minds the four questions embodied in said report, which questions are as follows:

Question 1. Shall we recommend that the penitentiary system be centralized?

Question 2. Shall we recommend that the central system be retained at Huntsville?

Question 3. Would you centralize the system on the Fort Bend county farms?

Question 4. Shall we centralize the system in central Texas?

Are not sufficiently broad in scope to cover the purposes of the resolution under which we acted or to give a correct expression of our views. The first question is as to whether we should recommend that the penitentiary system be centralized, and the other three questions assume that the first would be answered in the affirmative. The majority of the committee by its report commits itself to the proposition that by centralizing is meant to bring the entire penitentiary system to one point or location, massing the convicts at one point

and, inferentially at least, under one roof. To our minds centralizing the convicts at one point would be physically, morally and economically unsound. A prison body is necessarily diverse in many ways. There the young and the aged; the white and the black; the educated and the uneducated; the trained and the untrained; and those of greater as well as of lesser criminal intent. The law of this State recognizes that these should not be massed, but, on the contrary, that they should not be massed but should be classified and separated. (Article 6201 and Article 6208, Revised Statutes of Texas.) The latter article provides in part as follows:

"That persons confined in the State prisons of this State may have every opportunity and encouragement for moral reform, it shall be the duty of the prison commission, in addition to the requirements of this title, to provide every reasonable and practicable means for the encouragement of such reforms. To this end, the prison commission shall provide for the classification of all prisoners, separating them into the following classes: In the first class shall be included young men, first offenders, those appearing to be corrigible or less vicious than others and likely to observe the laws, and to maintain themselves by honest industry after their discharge. In the second class shall be included those appearing to be less corrigible or more vicious, but content to work and reasonably obedient to prison discipline as not to seriously interfere with the productiveness of their labor, or with the labor or conduct of those with whom they may be employed. In the third class shall be included those appearing to be incorrigible or so insubordinate or so vicious in their nature as to seriously interfere with the labor and moral development of those with whom they must come in contact."

It follows then that if by the word "centralize" it is intended to mass the prisoners at one place, not to say under one roof, it is unwise and contrary to the established law of the State. With the prison population now approximately 4000 and rapidly increasing, we do not deem it wise to commit the State to the policy of massing the inmates of the prison at one location. This is what, if we understand this report correctly, the majority of the committee undertakes to do.

The majority report recites, and we



think very properly, that until the future policy of the prison system of Texas has been definitely outlined no locating committee can be properly informed with reference to the location of the prison site, and yet in a preceding paragraph the report expressly recommends that the penitentiary system be established within seventy-five miles of the city of Austin. It is apparent that there is an irreconcilable conflict between the two suggestions.

We would not be misunderstood. If by centralizing is meant the locating at one point of the general headquarters of the system and the general offices and residences of the chief officers of the system, with industries to be engaged in suitable to the location, we are in accord. But, as we view it, to undertake to mass all the enterprises in which the system for economic reasons should engage at one place is as impracticable and as undesirable as massing all the inmates of the penitentiary at one point.

Texas is large in area and unlimited in the variety of its resources and climatic conditions, all of which offer a wide range of enterprises from which to make selections of those which the system could profitably engage in, and it seems to us that the enterprises to which the policy of the State should be committed should first be determined, and that a unit for each of these enterprises be established where such unit could be most profitably and advantageously operated, and then the central unit located at a point with which the smaller units could best co-operate economically. To us it seems that to commit the State to the policy of only one enterprise or to any number of enterprises that could be engaged in on a tract of ten, or even twenty thousand acres of land, is to commit economical suicide. To illustrate, if the system should decide to grow ribbon cane in a large way, the land in sufficient quantity adapted to this purpose could not be found within seventy-five miles of Austin; or if it should decide to engage in a large road building program, to which we are strongly inclined, it would not likely locate its unit engaged in this enterprise several hundred miles from the principal road building materials of the State.

Practically all of the States, and with fewer possibilities and smaller prison populations than has Texas, engage in several enterprises. In fact, with possibly a single exception, not one of them limits its activities to one occupation. We are unalterably opposed to commit-

ting the system to one enterprise, and strongly favor such number of enterprises as will accommodate to the greatest advantage all the labor of the State as it exists or can be profitably trained.

The majority report of the committee recites that during the years 1911-12-13-14-15-19-20-21-22 the penitentiary system lost money on its operations, and that during the years 1916-17-18 it made money, but it neglects, no doubt by oversight, to recite that the gain during the years in which there was a gain exceeded the loss during the years in which there was a loss by more than one and three-quarters of a million dollars. We feel that this statement should be made in view of the possible sale by the State of at least some portion of the lands located in Fort Bend and Brazoria counties. We fear that the statement referred to might reflect upon the worth of the lands when the facts do not warrant it, and we are sure the committee did not intend so to reflect. We deem it not unwise as a matter of information to recite here the loss and gain statement of the prison farms from the year 1910 to the year 1922, inclusive, as furnished the members of the committee by the Prison Commission:

Blue Ridge farm, 8 years, from 1915 to 1922. \$390,598.23 gain.

Clemens, 13 years, 1910 to 1922. \$450,753.97 gain.

Darrington, 5 years, from 1918 to 1922, \$100,136.81 loss.

Eastham, 7 years, from 1916 to 1922, \$117,220.15 gain.

Ferguson, 7 years, from 1916 to 1922, \$56,645.78 gain.

Goree, 13 years, from 1910 to 1922, \$58,286.80 loss.

Harlem, 13 years, from 1910 to 1922, \$547,456.98 gain.

Imperial, 13 years, from 1910 to 1922, \$307,007.30 gain.

Ramsey, 13 years, from 1910 to 1922, \$428,520.88 gain.

Retrieve, 7 years, from 1910 to 1922, \$73,561.20 gain.

Shaw, 10 years, from 1913 to 1922, \$59,846.22 gain.

Wynne, 13 years, from 1910 to 1922, \$225,025.71 loss.

Total gain, \$2,431,610.72.

Total loss, \$380,449.32.

Gain on farms, 13 years' operation. \$2,051,161.40.

Note—Goree Farm used exclusively for women. Wynne Farm used exclusively as tubercular hospital.

It could not be expected that either of these two farms could be operated at

a gain and the surprise is that the loss during all these years is not greater.

The report also declares that during all the years in which the system lost money the cause is directly traceable to excessive rainfall, tropical storms, overflows, or the boll weevil pest. It leaves out the elements of price, diversification, lack of intensive cultivation, lack of pest control, piratic grafting of resources of the system and mismanagement. Here we are pleased to state that, in our opinion, there has been neither grafting nor mismanagement under the present regime.

We recommend:

1. That the future policy in reference to the enterprises in which the system shall engage be first definitely decided upon before the question of location or re-location is considered.

2. That each unit composing the enterprises decided on be located at a point where the particular enterprise or industry can be most advantageously and economically carried on, and that the location of these units be established before the location or re-location of the general or administrative plant.

3. That the general or administrative plant be located in reference to the smaller units from the standpoint of economy and accessibility of all the units considered together.

4. That immediate provisions be made for re-establishing and putting in operation all the paying or advantageous industrial enterprises fostered by the main penitentiary at Huntsville prior to their destruction by fire. This would not only be of financial and helpful assistance to the penitentiary, but would furnish employment for the three or four hundred men now being maintained in idleness within the walls because of lack of these facilities.

5. That some of the lands belonging to the system be sold, as in our opinion the penitentiary has too much land of its own, to say nothing of these tracts under lease. There is no necessity for these leases and to retain them under such circumstances is an economical waste. Therefore, the leases should be discontinued. But what land or how much should be sold can not be intelligently ascertained until the policy of the system in reference to farming has been agreed upon, and not then until the extent and kind of farming is decided.

In no event should all the lands at present belonging to the system be sold

unless it should be found that they are not adapted to the kind of crops decided by the system to be grown, for the reason that when the State buys lands it buys high, and when it sells, it sells low.

6. That since it is the purpose of the State to settle for a long period, if not for all time, the future policy of its penitentiary system, the matter should be considered carefully and thoroughly from every standpoint. In other words, we should make haste slowly. We think that a committee composed of persons of long experience in large and varied lines of industry, not too large to be unwieldy and yet not so small as to be local in its nature, is preferable to one composed exclusively, or even largely, of members of the Legislature. The reasons are obvious. During the sessions of the Legislature, the members are so completely engrossed with their official duties that they have little or no time to devote to a careful, serious and thorough consideration of the matter, and during vacation they are compelled to try to reorganize their business, pick up the loose stitches, so to speak, and try to recoup their losses.

H. L. LEWIS,

I. D. FAIRCHILD.

#### REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 502, "An Act to authorize the commissioners courts of Hudspeth and Culberson counties, Texas, to make contracts not in excess of seventy-five dollars per month for services to be performed by the district attorney of the Thirty-fourth Judicial District of Texas,"

Have carefully compared same and find it correctly enrolled, and have this day, at 4:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 596, "An Act validating a

certain issue of schoolhouse bonds aggregating \$5000, bearing interest at 6 per cent per annum, voted by Common School District No. 7 of Lynn county on July 23, 1921; validating the election voting such bonds, all orders of the commissioners court of Lynn county in respect to such election and such bonds, and in addition all orders levying taxes to support the same, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 4:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 582, "An Act creating the Fairview Independent School District in Wichita county, Texas; defining its boundaries; providing for a board of trustees for said independent school district; describing their qualifications and terms of office; defining the rights, powers and privileges of said board, and conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of the State of Texas upon independent school districts and the board of trustees thereof; providing for the creation of a board of trustees; providing for the raising of revenues; declaring valid a maintenance tax heretofore voted; and providing for the assessment and collection of said tax and for a board of equalization of said school district; and providing for the election of trustees thereof; providing for the transportation of pupils under certain conditions, and repealing all laws in so far as they may be in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 4:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 182, "An Act authorizing and directing the administrative or governing authorities of the public educational institutes of this State to except and exempt from the payment of all dues, fees and charges except for board and clothing all citizens of Texas who served as nurses or in the armed forces of the United States during the late war, and who were honorably discharged therefrom, and who are not entitled to receive such benefits under the Act of Congress known as the Vocational Rehabilitation Act, and giving said citizens a preferential right to be admitted to the benefits of said institutions, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 4:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 643, "An Act creating the Brownsboro Independent School District in Henderson county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties and liabilities now conferred and imposed by the general laws of Texas upon independent school districts and the board of trustees thereof; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 4:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 616, "An Act creating the Union Hill Independent School District in Swisher county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring

upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the election of its first board of trustees and their successors; providing for the appointment of a board of equalization, and tax assessor and collector for said district, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 4:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 651, "An Act to create the Denson Independent School District in Williamson county, Texas, including the present Denson School District of said county; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights and powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing that the board of trustees of the present Denson School District shall continue to act as such until their successors are elected and qualified in accordance with the general laws of Texas, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 4:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 244, "An Act to relieve various schools of the State by validating certain school districts, and where such districts have undertaken to provide for the issuance of schoolhouse bonds or the levying of special taxes for any lawful school purposes, by proceedings not otherwise invalid, validating such bond issues and taxes, and declaring an emergency,"

Have carefully compared same and

find it correctly enrolled, and have this day, at 4:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room.

Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 136, "An Act amending Section 39 of Chapter 42, General Laws of the First Called Session of the Thirty-seventh Legislature, relative to public roads and highways, so as to except and exempt from the provisions of said chapter the counties of Anderson, Austin, Bastrop, Colorado, Crane, Ector, Hardin, Hidalgo, Kent, Lavaca, Loving, Liberty, Marion, Morris, Martin, Midland, Nacogdoches, Palo Pinto, Robertson, Stonewall, Scurry, San Jacinto, Taylor, Ward, Walker, Winkler, and Upton, Cherokee, Glasscock, Howard and Mills. And further amending the said act in Sections 7, 9 and 36 thereof so as to provide that the commissioners court shall have the power and authority to employ a road superintendent, who shall serve, doing the will of the commissioners court, and receive such compensation as shall be provided by them, and in the absence of the employment of said superintendent all the duties conferred upon him by this act may be performed by the commissioners court and the commissioners respectively in their several precincts and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 4:10 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 361, "An Act to amend Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature, as amended by Chapter 71 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, as amended by Chapter 113 of the General Laws of the Regular Session of the Thirty-sixth Legislature, as amended by Chapter 131 of the General Laws of the Regular Session of the Thirty-seventh Legislature, as amended

by Chapter 52 of the General Laws of the First Called Session of the Thirty-seventh Legislature, by amending Section 16 of said Chapter 190 as amended, and by adding to said Chapter 190 sixteen new sections to be known as Sections 16A, 16B, 16C, 16D, 16E, 16F, 16G, 16H, 16I, 16J, 16K, 16L, 16M, 16N, 16O, 16P, so as to provide for the registration of motor vehicles, tractors, trailers, semi-trailers and motorcycles, requiring applications to be filed for the registering of such vehicles and prescribing the fees that shall be paid for their registration; defining commercial motor vehicles and tractors; prescribing penalties for the operation of a motor vehicle on the public highway not registered in accordance with the provisions of this act; prescribing the maximum weights and dimensions of motor vehicles that may be operated on the public highways; providing an additional registration fee for passenger motor vehicles with a seating capacity of more than seven passengers; prescribing the methods by which the fees provided herein shall be computed; requiring commercial motor vehicles to be equipped with rear-view mirrors and with tires of a prescribed minimum width and thickness; authorizing local authorities in charge of the highways to restrict the use of said highways under certain conditions; providing for the recovery of damages for undue injury of highways the use of which has been so restricted; amending Section 3, Chapter 73, General Laws of the Fourth Called Session of the Thirty-fifth Legislature as amended by Section 4, Chapter 113 of the General Laws of the Regular Session of the Thirty-sixth Legislature so as to provide for distribution and apportionment of license fees collected under this act; also authorizing the State Highway Commission, on and after January 1, 1924, to maintain the designated State highways and to pay the expenses of such maintenance out of funds derived under this act in so far as said funds are available for that purpose; requiring the State Highway Commission to publish a full budget and plan of maintenance; to provide for a quarterly proration of the fees prescribed herein; providing that the unconstitutionality of any section of this act shall not affect any other section of the act; providing that the license fees prescribed herein for commercial motor vehicles, tractors, trailers and semi-trailers shall be charged for

the registration of such vehicles registered during the remainder of the calendar year 1923 and for subsequent calendar years and that the license fees prescribed in this act for passenger motor vehicles shall be charged for the registration of all passenger cars for the calendar year 1924 and for subsequent calendar years; prescribing penalties for violations of this act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have carefully compared same and find it correctly enrolled, and have this day, at 12:05 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 12, "An Act to amend Chapter 2, Title 126, Article 7377, of the Revised Civil Statutes of 1911, relating to and imposing an occupation tax based on gross receipts, providing for a tax upon wholesale dealers in the sale of gasoline or any substitute therefor; defining a wholesaler, defining sales of gasoline or any substitute therefor; providing for and the manner of reporting such sales, and the collection of the said occupation tax; setting forth the penalties prescribed for failure to make such reports and to pay such tax; providing for the payment of all such tax collections into the general revenue and for the appropriation of such sums from the general revenue to the available school fund and to the State highway fund, and for the disbursement of the amounts appropriated; providing that if any part of this act shall be declared ineffective such decision shall not affect the remaining provisions, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 12:05 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 561, "An Act creating and incorporating the Joe Stokes Independent School District in Lynn county, Texas,

out of territory now comprising Common School District No. 17 of Lynn county, as heretofore created by the county board of school trustees of said county; defining boundary thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing the board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that said Joe Stokes Independent School District shall assume and discharge any and all indebtedness constituting valid and binding obligations of said Common School District No. 17 of Lynn county, validating and continuing in force any and all taxes heretofore voted and now in force in such common school district; providing that title to any and all property of said common school district shall vest in the trustees of the independent school district hereby created; providing for filling vacancies on the board of trustees; providing for a seal for said district; providing that the board of trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any section or provision of this act shall not invalidate any remaining provision hereof, and declaring an emergency."

Have carefully compared same and find it correctly enrolled; and have this day, at 10:45 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

#### FORTY-THIRD DAY.

(Continued.)

(Sunday, March 11, 1923.)

The House met at 10 o'clock a. m., and was called to order by Speaker Seagler.

#### BILLS SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 425, "An Act to amend Chapter 2 of Title 104 of the Revised Civil Statutes of 1911, as amended by Chapter 32, General Laws, First Called

Session, Thirty-fifth Legislature, pertaining to the management and control of the Prison System of this State, by adding thereto another article to be known as Article 6231b, so as to exempt the Board of Prison Commissioners, and the members thereof, from giving or making any cost bond, appeal bond, supersedeas bond, writ of error bond, or other bond or security in any civil suit or action heretofore or hereafter brought by or against it, or them, and declaring an emergency."

H. B. No. 644, "An Act correcting the boundaries of the present Hale Center Independent School District; providing for payment of bonds issued by the present district, and declaring an emergency."

H. B. No. 551, "An Act amending Section 2, of Chapter 72, of the Local and Special Laws of the State of Texas passed by the Thirty-eighth Legislature at its Regular Session, said act being an act creating the Tynan Independent School District in Bee county, San Patricio and Live Oak counties, Texas; said act being amended by changing boundaries of said district set out in Section 2 thereof, and declaring an emergency."

H. B. No. 674, "An Act exempting Travis county for a period of two years from the provisions of Chapter 12, Section 3, Acts of 1917, Third Called Session, as amended by Chapter 87, Section 3, Acts 1918, Fourth Called Session, and providing for an emergency."

H. B. No. 660, "An Act creating and incorporating Lakeview Independent School District in Dawson county, Texas, out of territory now comprising Lakeview Common School District No. 25; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing the board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that said Lakeview Independent School District shall assume and discharge any and all bonds and other indebtedness constituting valid and binding obligations of said Lakeview Common School District No. 25 of Dawson county; validating and continuing in force any and all taxes heretofore voted and now in force in said common school district; providing that title to any